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THE CANADIAN NORTH-WEST

ITS EARLY DEVELOPMENT

AND

LEGISLATIVE RECORDS

MINUTES OF THE COUNCILS OF THE RED RIVER COLONY AND THE NORTHERN DEPARTMENT OF RUPERT'S LAND.

(IN TWO VOLUMES.)

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EDITED BY

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Minutes of Council, 1833.

Minutes of a temporary Council held at Red River Settlement Northern Department of Rupert's Land in consequence of Governor Simpson being unable to attend at the usual seat of Council through indisposition which commenced on the 1st day of June 1833, for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said Department and in order to investigate the result of the trade of last year, and determine the Outfits and General Arrangements for the trade of the Current year conformably to the provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudson's Bay bearing date the 26th day of March 1821; at which were present the following members, viz:

George Simpson, Governor in Chief.
J. D. Cameron, Chief Factor.
Alexr. Christie, "
Jas. McMillan, "

Resolved 1. That the rotations of Furlough for the Current year 1833 be in favor of Chief Factors John Stuart, Edward Smith, and John McLoughlin.

2. That the Rotation of Chief Factor John Stuart be transferred to Chief Factor John McBean, and that those of Chief Factors Edward Smith and John McLoughlin be availed of by themselves.

3. That the rotations of Furlough for the Current year 1833 be in favor of Chief Traders John Siveright and Robert Miles; but as neither of those Gentlemen avail themselves thereof, that of John Siveright be transferred to Donald McKintosh; as Alexr. Rodk. McLeod does not take advantage of the transfer allowed him by the 6th Resolve of last year; and that the rotation of Robert Miles be transferred to Colin Campbell.

4. In order to guard against any misapprehension with respect to the Rotations of three ensuing years.

That they be considered in favor of Chief Factors James Keith, Joseph Beioley and Angus Bethune, with Chief Traders Colin Campbell and Archibald McDonald for 1834/35; in favor of Chief Factors Donald McKenzie, Alexr. Christie and John McBean, with Chief Traders Fras. Heron and J. E. Harriott for Outfit 1835/36; and in favor of Chief Factors William McKintosh, William Conolly and John Rowand with Chief Traders Robert Cowie and Donald Ross for 1836/37.

5. That no exchanges of Rotation of furlough between Chief Factors or between Chief Traders be permitted, nor leave of absence granted to Chief Factors or Chief Traders while under appointments on the West side the mountains, until after they have passed five Winters there, except in cases where ill health may render it necessary for them to visit England or Canada for the benefit of medical advice.

6. That the following arrangements take place, viz.:

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca	John Charles.	J. P. Pruden.
	Wm. McKintosh.	
English River including Cumberland	Rodk. McKenzie.	J. E. Harriott.
Saskatchewan	John Rowand.	J. P. Pruden.
Swan River including Fort Ellice		Wm. Todd.
Red River Ft. Garry, Expr. Farm and Post at Portage La Prairie.	Jas. McMillan.	
Lac la Pluie including River Winipeg	J. D. Cameron.	
Norway House including		Donald Ross.
Berens River		
Island Lake	John Lee Lewes.	
York Factory	Alex. Christie.	Robt. Miles.
		Jas. Hargrave.
Columbia.	Duncan Finlayson.	Saml. Black.
		Cuthbt. Cummings.
		Fras. Heron.
		Archd. McDonald.
		Robert Cowie.
		John Work.
New Caledonia.	P. W. Dease.	Simon McGillivray.
		Alexr. Fisher.

In order to fill up the vacancies that have occurred in the Southern Department in consequence of Chief Factor John McBean and Chief Trader William McKintosh leaving their respective charges on Furlough it is Resolved

7. That Chief Trader Donald McKenzie be appointed to the charge of the Post of Fort William in the Lake

Superior District, and that Chief Trader P. S. Ogden be appointed to the charge of Lake Huron District.

And in order to fill up the vacancy that has occurred in the Montreal Department in consequence of Chief Trader Cummings being removed to the Northern Department;

8. That Chief Trader Alexr. Rodk. McLeod be appointed to the Montreal Department.

Resolved 9. That the following arrangements take place.

Winter Arrangements—

Athabasca—Fort Chippewyan,		John Charles, C.F.
Dunvegan,		Wm. McKintosh, do.
Vermilion,		Chas. Ross, Clk.
Gt. Slave Lake,		John McDonell, Clk.

10. That 4 Boats, 29 men and about 200 pieces Goods constitute the Current Outfit for Athabasca District.

11. That the quantities of Leather, Parchment Pack Cords and Babiche required for New Caledonia be provided at Dunvegan together with a sufficient quantity of Grease to make up the ladings of 2 Canoes to 50 pieces in all deliverable when called for after the month of August.

In order to save the expense of a light Canoe for the purpose of transporting the outcoming and ingoing Gentlemen belonging to Athabasca District which was formerly necessary when the Depot business was transacted at York, but which is now unnecessary as Norway House is its Depot, It is

Resolved 12. That Chief Factor Charles be directed to accompany his Brigade to and from his Wintering grounds.

13. Summer Arrangements 1834—

Athabasca—Fort Chippewyan,	4	men	incl. Interpreter.
Dunvegan,	3	do	do
Vermilion,	3	do	do
Gt. Slave Lake,	3	do	do
	13	do	do

14. That Chief Factor William McKintosh and John McDonell and Charles Ross, Clerks, remain inland and be appointed as Chief Factor Charles may consider expedient.

15. That Chief Factor Christie be directed to forward about 200 pieces Goods to Norway House for Athabasca Outfit 1834 by Indians or Red River Carriers.

In order to save the expense of transporting Flour from the Depot to Athabasca or McKenzies River Districts it is

16. That the Gentlemen in charge of Posts in Peace River where the climate and soil are favorable to cultivation, be directed to devote their attention to that important object forthwith; as it is intended that those Districts shall depend on Peace River alone for their Flour after the close of Outfits 1834.

17. Winter Arrangements—

McKenzies River—Fort Simpson, John Stuart, C.F.
Riv^re^. au Liard, Mur. McPherson, Clk.
Fort Norman, Wm. Mowat, P.M.
Ft. Good Hope, John Bell, Clk.
Fort Halkett, John McLeod, do.

18. That about 250 pieces Goods in 4 Boats from Norway House for Portage la Loche constitute the Current Outfit for McKenzies River.

19. Summer Arrangements—

McKenzies River—Fort Simpson,	2	men incl	Interpr.
Riv^re^. au Liard,	3	do	do
Fort Norman,	2	do	do
Fort Good Hope,	3	do	do
Fort Halkett,	3	do	do
Exploring Party,	5	do	do
	18	do	do

20. That Murdoch McPherson and John Bell, Clerks, and William Mowat, Postmaster, remain inland and be appointed as Chief Factor Stuart may consider expedient.

21. That John McLeod, Clerk, be employed Summer 1834 with the 5 men employed in discovering the countries situated on the West side of the Rocky Mountains from the sources on the East branch of the Liard River.

22. That the voyaging Establishments of Servants between the District and Portage la Loche do not exceed 29 men in all, say 1 Guide 4 Steersmen, 4 Bowsmen and 20 Middlemen to be employed in transporting the Returns and Outfit from Portage la Loche in 4 Boats Summer 1834; and that Chief Factor John Stuart accompany the Brigade to and from the District as it is resolved that he shall Winter there Outfit 1834/35.

23. That Chief Factor Christie be directed to forward in the course of the Summer 250 pieces Goods to Norway House for McKenzies River Outfit 1834, the same to be transported thence in 4 Boats to start on or before the 15th June, 3 of which to be manned by people engaged for the Trip at Red River, say 7 men each, and the fourth by Servants exclusive of the Guide, those Servants to be under engagements of not less than 3 years, and to be exchangeable at the Portage for returning Servants from the District.

24. Winter Arrangements—

English River—	Isle a la Crosse,	Rodk. McKenzie, C.F.
	Rapid River,	Geo. Deschambeault, Clk.
	Green Lake,	An Interpreter.
	Cumberland Ho.,	T. Isbister, P.M. & 1 man.
	Rat River,	An Interpreter.

25. That 100 pieces Goods in 2 Boats manned by 13 men constitute the Current Outfit for the three first Posts of that District, and that 60 pieces Goods constitute the Current Outfit for Cumberland House and the Outpost of Rat River to be established this season from thence: these Goods to be taken in by the Saskatchewan Brigade, into which 5 voyaging Servants intended for the two last Posts will be drafted.

26. Summer Arrangements 1834—

English River—	Isle a la Crosse,	G. Deschambeault, Clk., & 2 men.
	Rapid River,	1 man.
	Cumberland Ho.	T. Isbister, P.M., & 1 man.

27. That a quantity of dried Provisions equal to 80 Bags Pemican be provided and forthcoming for the use of the outward and inward bound Northern Craft, Spring and Summer 1834.

28. Winter Arrangements—

Saskatchewan—	Edmonton,	John Rowand, C.F.
		Richd. Grant, Clk.
		W. G. Rae, do.
	Carlton,	J. P. Pruden, C.T.
		Patrick Small, Clk.
	Piegan Post,	J. E. Harriott, C.T.
		Henry Fisher, Clk.
	Fort Assineboine,	An Interpreter.
	Jaspers House,	Michel Klyne, P.M.
	Lesser Slave Lake,	Geo. McDougall, Clk.

29. That about 550 pieces goods in 10 boats manned by 40 servants belonging to the District constitute the Current Outfit; that the crews be made up of the ingoing servants belonging to the Columbia with 5 servants for the Cumberland Posts and that 60 pieces goods be forwarded on freight by this Brigade for those posts.

30. That 600 Bags Pemican be provided by the Saskatchewan District for the service of next year deliverable at Norway House, for which credit shall be given at the rate of 2d per lb.; That 50 Bags soft Pemican be provided and delivered at the same place for which credit shall be given at the rate of 3d per lb. and that all the surplus grease collected in the District be brought to the Depot in a clean and rendered state, for exportation in packages of not less than 2 cwt., for which credit shall be given at the rate of 2d per lb.

31. That a boat and 2 men be left at York for the purpose of conveying 12 of the new servants, coming from Europe by the ship, inland where it is intended they shall pass the winter, and be brought to the Depot next summer for appointment to other Districts.

32. Summer Arrangements, 1834—

Saskatchewan, Edmonton, J. E. Harriott, C.T.,
Henry Fisher, Clk.
Wm. G. Rae, Clk., & 13 men.
Carleton, J. P. Pruden, C.T.
Patk. Small, Clk., & 7 men.
Fort Assineboine, 2 men.
Jasper's House, Michel Klyne, P.M., & 1 man.
Including interpreters, 20 men.

33. That J. P. Pruden and J. E. Harriott, Chief Traders, and Richard Grant, Patrick Small, Henry Fisher, George McDougall and W. G. Rae, Clerks, remain inland and be appointed as the Chief Factor superintending the District may consider expedient unless the services of one or two of those clerks be required by him in assisting to conduct the Brigades to and from the Depot.

34. That the requisite number of horses be provided at Edmonton for the transport of the Cumberland property to Fort Assineboine; the charge for transport to be 5/ for each piece of 90 lbs. weight, and that craft be always in readiness at Fort Assineboine and the Rocky Mountain House for the conveyance of people and property to the Columbia Department.

35. That Chief Factor Rowand be instructed to provide 120 pair tracking shoes to be brought out to the Depot.

36. That Chief Factor Rowand be instructed to provide 8 new boats for general distribution at Norway House.

37. Winter arrangements—

Swan River, Fort Pelly, William Todd, C.T.
Chas. Goulet, P.M.
Fort Ellice, John McKay, Clk.
Manitobah. Fras. Richard, P.M.
Shoal River, A man.

38. That 180 pieces goods constitute the Current Outfit for this District with 15 voyaging servants, 100 pieces of these goods to be taken up from the Depot on 2 boats manned by 12 men for the trade of Fort Pelly, Manitobah and Shoal River Posts, and the remaining 80 pieces to be brought with the Red River Outfit for the trade of Fort Ellice, accompanied by the 3 remaining men who are intended to winter at that Post.

39. That Chief Trader Todd be directed to contract with Freeman for the delivery of 200 to 300 bushels salt at Norway House at a price not exceeding 5/ per bushel.

40. That every encouragement be given with a view to increasing the returns in the article of Buffalo Robes in order to withdraw the plain tribes from the American establishments on the Missouri, the price not to exceed 3/ each.

41. Summer Arrangements—

Swan River—Fort Pelly, Chas. Goulet & 2 men.
Fort Ellice, J. R. McKay and 7 men.
Manitobah, Fras. Richard, P.M.
Shoal River, 1 man
Including interpreters 10 men.

42. That Chief Trader Todd be directed to send the Returns of Fort Pelly and Fort Ellice out via the Assineboine river; and those of the other Establishments via the Dauphin river and that the crews of the boats be made up to 4 men each by Freemen or Indians, engaged for the trip to Norway House.

43. Winter Arrangements—

Red River—Fort Garry, Thomas Simpson, Clk.
Pierre Le Blanc, P.M.
Forks. Joseph Charles, Clk.
Warden of the Plains, Cuthbt Grant.

44. That supplies for the use of the Colony Shop and Indian trade amounting to about 1000 pieces be provided and forwarded on freight, and that the establishment of servants be as follows:—

Fort Garry, 4 men including blacksmith.
Forks 1 man.

45. That the following supplies be procured at the Colony made up in sound and transportable packages at the annexed prices, viz:—

50	Firkins best cured butter at.....	7d per lb.
20	Cwt. best cured beef (briskets & ribs).	3d "
150	Bushels hulled Indian Corn @.....	4/.
1000	Cwt. flour 1st & 2nd (qualities mixed)	11/.
50	Pork hams cured @.....	5d per lb.
50	Bushels white pease @.....	3/6.
60	Cwt. cured pork @.....	3d per lb.
300	Portage straps	2/ each.

46. That 1000 bushels clean, sound, dry wheat be purchased and laid up in depot at the new fort until required, if to be obtained at 3/6 p. bus.;

47. That the freight to be allowed to Districts for the current year for the transport of pieces be as follows: viz,

York Factory to Red River	10/	per piece.
York Factory to Norway House	14/	" "
York Factory to Oxford House	10/	" "
Oxford House to Norway House	4/	" "
Norway House to Red River	3/	" "
Red River to Norway House	2/	" "
Norway House to Oxford House	2/	" "
Oxford House to York Factory	3/	" "

48. That 30 men, the crews of 5 boats, be engaged for the season of open water to be employed as may be required at £16 per Steersman, £14 for Bowsmen, and £12 for Middlemen.

49. That 21 men the crews of 3 boats be engaged for the McKenzie River transport and others that may be required for the season of open water at £16 per Steersmen, £14 for Bowmen, and £12 for Middlemen.

50. Winter Arrangements—

Red River—Experimental Farm, Jas. McMillan C.F.
Portage la Prairie, Geo. Setter. P.M.

51. That 50 pieces goods constitute the current outfit for the Experimental Farm and the Post at Portage la Prairie to be taken in on freight.

52. That the Establishment of people under the direction of Chief Factor McMillan for the Experimental Farm and the Post at Portage la Prairie be as follows viz:

Experimental Farm, 5 men.
Post at the Portage, Geo. Setter, P.M. & 4 men.

53. Summer Arrangements—

Fort Garry,	4 men including blacksmith.
Forks,	Geo. Setter, P.M., & 1 man.
Experimental Farm,	5 men.

The Council having learnt with much satisfaction that the cause of education and religion is much advanced in Red River Settlement by the establishment of sundry schools under the superintendence of the Revd. Mr. Jones and the Revd. Mr. Cochran, and that Mr. Pritchard had rendered his valuable services gratuitiously to that effect for several years past; moreover that that Gentleman has established a day school for the education of the youth of both sexes in his neighborhood, which is attended by many Children whose parents cannot afford to pay for their instruction it is Resolved

54. That in order to encourage the laudable and highly useful objects now in question, the sum of £25 per annum be allowed to Mr. Pritchard subject to the approbation of the Governor & Committee.

55. Winter Arrangements—

Lac la Pluie—Fort Frances,		J. D. Cameron, C.F.
		Wm. Sinclair, Clk.
	White Fish Lake,	An Interpreter.
	Lac du Bois Blanc,	do.
	Dalles,	Thos. Taylor, P.M.
	Fort Alexander,	Wm. Clouston, P.M.

56. That 250 pieces Goods, to be transported by 19 servants belonging to the District and on freight by Craft belonging to other Posts, constitute the Current Outfit for this District and that 5 new Bark Canoes be provided for the service of the following year.

57. Summer Arrangements 1834—

Lac La Pluie—Fort Frances,	Wm. Sinclair, Clk. & 3 men including interpreters.
Fort Alexander,	Wm. Clouston, P.M. & 2 men including interpreters, 5 men.

In order to reduce the expenses on the Lac la Pluie District which is now relieved from opposition

58. That the voyaging complement of Servants be next year reduced to 12 men who assisted by 6 Indians to be engaged for the Summer at £5 per man will make up the crews of 3 Boats laden with Goods from the Depot to Norway House, where the cargo of a fourth Boat will be delivered by Red River Trip men on Freight, making the Outfit up to about 250 pieces, which will be taken to the District from Norway House in 4 Boats manned by the said 18 Servants and Indians.

59. Winter Arrangements.—

Norway House—Norway House, Donald Ross, C.T., an Apprentice Clk & 5 men.
Berens River, Two men.
Sandy Narrows, R. Cummings, P.M., & 3 men

60. That about 70 pieces Goods to be transported in 2 Boats, manned by 7 Servants belonging to the District and 5 Indians to be engaged for the Trip, constitute the Outfit for the Current year, and that the ladings be made up by 70 pieces Goods on Freight.

61. Summer Arrangements 1834—

Norway House—Norway House, Donald Ross, C.T., 1 Clk. and 3 men.
Berens River, Robt. Cummings, P.M.

Serious inconvenience having been experienced from the irregular practice which has hitherto been observed at this Depot of opening accounts with other Establishments and Servants belonging to other Districts.

62. That with the exception of Red River produce no supplies of any description be given either to District or Servants from this Establishment.

63. That this Establishment be considered as the Depot of Athabasca District and that Outfits and supplies for Servants be forwarded from York Factory, the Freight thereof to be chargeable to Athabasca District; and that Norway House be allowed 12½ per cent. advance upon York or Inventory prices on sales to Servants in order to cover all charges of Storage, Packing, &c.

64. That the two-decked Vessel, employed in the Lake Winipeg transport be laid up at Norway House during the Winter, and dispatched to Red River for Cargoes at the

opening of the navigation, and that the Crews be occupied during the dead season of the year on the Winter road and other work connected with that object, except the Carpenter and an assistant who will be employed during the Winter at Norway House in building and repairing Boats for general distribution.

65. Winter Arrangements—

Island Lake—Oxford House, John Lee Lewes, C.F.
Island Lake, Wm. McKay, P.M.

Great difficulty having been experienced in maintaining the Establishments of Windy Lake and Merrys House of late, which have been very unproductive in regard to returns, and the Post of Manitoo Lake being only 40 miles distant from Oxford House it is considered expedient to concentrate the business by abandoning the Posts of Windy Lake and Merrys House and to establish in their stead a Post at the east end of Island Lake, where the fishery is so productive as to afford abundant means of living, and to which the Indians of both these Posts can be drawn without inconvenience, likewise to abandon the post of Manitoo Lake, merely keeping a Fisherman there for the support of the people employed on the Winter road, and who would be provided with a few essentials to supply the Indians with when absolutely necessary in the course of the Winter, it is therefore Resolved

66. That the Posts of Windy Lake, Merrys House and Manitoo Lake be abandoned this season; and that a Post be established at the east end of Island Lake.

67. That about 80 pieces Goods to be transported from the Depot in a Boat manned by 7 men constitute the Current Outfit of this district.

Winter Road Arrangements—

It being very desirable to follow up the Winter road plan which in due time promises important advantages to the Country at large, it is Resolved

68. That the work be continued under the direction of Chief Factor Lewes and that to carry it on, the services of ten supernumeraries be at his disposal for that object, to be fed principally on fish from the Fishery at Manitoo Lake; those supernumeraries to be at Norway House for general service on or before the 1st June.

69. Summer Arrangements 1834—

Island Lake—Oxford House, Wm. McKay, P.M., & 1 man.
Island Lake, 1 man.

70. That Chief Factor Lewes be directed to employ 4 Boats manned by 32 Indians and a Guide in performing a double Trip between the Depot and Norway House in the transport of Goods and Returns, the lading of each Boat upwards per Trip to be 80 and downwards 70 pieces; 5 of which to be left at Oxford House and the remaining 65 ps. per Boat to be delivered at York.

71. Winter Arrangements—

York—York Factory,	Alexander Christie, C.T.
	Robert Miles. C.T.
	Jas. Hargrave do.
	John Ballenden, Clerk.
	Archd. McKinlay do.
Churchill,	Robert Harding, Clerk.
Nelson River,	John Tod, Clerk.
Severn,	John Rendall, P.M., or John Hutchison, Clk., if he comes from England, in which case Rendall to winter at York.

72. That 25 men including Mechanics constitute the Winter and Summer establishment of York Factory.

73. That 4 men constitute the Summer establishments of Churchill, with an Outfit amounting to about 100 pieces goods, and provisions; and that, in order to encourage the Oil Trade, the *Frances* Schooner be attached to that Post; the Master and Crew of 5 men, including a Cooper with 1 man belonging to the Post, to be employed during the months of June and July in fishing and preparing the Oil at Seal River; in August the vessel to proceed to York with the Returns; thence to Severn with the Outfit of that Post and for the returns which are to be taken to the Depot, when the Schooner will be employed until the 15th September if necessary in discharging and re-loading the Ship from Europe, and then return to Churchill with the Outfit of that Post, where she will be laid up for Winter, and the Master and Crew be employed as the Clerk in charge may consider expedient.

Split Lake being no longer considered an eligible situation for the Nelson River post on account of the impoverished state of the Country in its neighborhood and the improved condition of the Upper part of the River, it is Resolved

74. That the post at Split Lake be abandoned and that a Post be established in its stead at the "Three Points"

situated at about half way between Split Lake and the Point at which the Churchill and Nelson River waters separate and that 3 men including an Interpreter with about 50 pieces Goods constitute the Establishment and Outfit of that Post during the current year; two of these men with Indians to transport the Returns to and Outfit from the Depot by Boat; the Interpreter alone to remain in charge of the Post during the Summer and the Clerk conducting the business to be employed in the Pack Store at York Factory during the busy season.

75. That 3 men constitute the Winter and Summer establishment of Severn Post with an outfit of about 60 pieces Goods and provisions to be transported from the Depot and the returns taken thither by the *Frances* Schooner and that the Postmaster in charge, who is a Ship Carpenter by trade, be employed during part of the month of July and August in building or repairing Craft.

76. Columbia Winter Arrangements—

Fort Vancouver.	Fort Colville.	Flat Heads.
Coutonais.	Thompson River.	Okanagan.
Nez Percez.	Fort Langley.	Fort Simpson.
Shipping.	Snake Expedition or New Establmts.	

Chief Factor, John McLoughlin, if he does not avail himself of his rotation of Furlough, and Duncan Finlayson, Chief Factor; Samuel Black, Cuthbert Cummings, Fras. Heron, Archd. McDonald, Robert Cowie and John Work, Chief Traders; James Douglas, James Birnie, William Kitson, Francis Ermatinger, Donald Manson, T. N. Annance, Thomas McKay, P.C. Pambrun, J. M. Yale, George T. Allan and Alexr. Anderson, Clerks. .....Surgeons.
Masters and Mates of Vessels.

77. That it be discretionary with Chief Factor McLoughlin, (if he remains in the District) and, if not, with Chief Factor Finlayson to make the appointments of those Gentlemen as he may consider expedient.

78. That men be provided for this District to accompany the Saskatchewan Brigade under the charge of Chief Factor Rowand until they reach Edmonton and from thence proceed under the charge of Chief Trader Cummings to Fort Vancouver unless he may receive further instructions from the Chief Factor superintending the business *en route,* by which he will regulate his movements.

79. That the Chief Factor superintending the business take the necessary steps to employ the Shipping in the coasting and

Timber Trades, and to carry into effect the object noticed in the Governor and Committee's Dispatch of and in a letter to be written to him from York in the course of the season by the Gentlemen, Chief Factors and Chief Traders present.

80. Columbia—New Caledonia—

Stuarts Lake.	Fraser's Lake.	McLeod's Lake.
Alexandria.	Babines.	Conolly's Lake.
Fort George.	Chilcotens.	

Peter Warren Dease, Chief Factor.

Simon McGillivray and Alexr. Fisher, Chief Traders.

Thomas Dears, George Linton, Donald McKenzie and William F. Lane, Clerks.

Chas. Ross and Benjamin McKenzie, Postmasters.

81. That men be forwarded by the Columbia Brigade to replace the retiring Servants of this District and that they proceed via Okanagan, Thompson River and Alexandria.

82. That it be discretionary with Chief Factor Dease to make the appointments of the above mentioned Gentlemen together with the requisite Establishment of Servants as he may consider expedient.

83. That 530 dressed Mooseskins, 18 Parchment Skins, 100 Babiche Snares and Beaver Nets, 2,000 Pack Cords, 30 lbs. Sinews and a sufficient quantity of Grease to make up 50 pieces in all be provided at Dunvegan for the use of New Caledonia District to be sent for in the Autumn of every year by the Gentleman in charge of that District.

84. That a complete Outfit for New Caledonia 1834 conformably to Requisition be prepared at Fort Vancouver by next Spring, and that the requisite Horses and appointments, &c., &c., to effect the transport thereof be provided and forwarded thither from the Columbia.

And with reference to further arrangements in connection with the Columbia department generally.

85. That the same be determined by a letter to be written by the Chief Factors and Chief Traders who may be at York this season to the Chief Factors superintending the Columbia and New-Caledonia affairs.

With regard to the establishment of Ungava from whence no advices have been received since those of date 1831; it is expected that the *Beaver* Sloop will be forwarded thence to York with the Returns and for fresh supplies of Goods, Pro-

visions, &c., in the course of the present season in which case it is Resolved

86. That Mr. Finlayson's request for men, Goods and other supplies be completed by Chief Factor Christie as far as the means at his disposal may permit.

In the meantime Governor Simpson has forwarded communications to Chief Factors McTavish and Beioley requesting to concert measures for sending the Express to Ungava with the least possible delay, if they have not already heard from Mr. Finlayson, in order to gain some intelligence respecting the state of the Settlement which they are directed to forward to the Governor and Committee, likewise to Governor Simpson in duplicate, by the Ship and via Canada; and in the event of the *Beaver* Sloop not having reached Ungava in 1831, or not getting to York in the course of the current season, it is Resolved

87. That Governor and Committee be requested to forward the necessary supplies either from England or Canada as early in the Summer of 1834 as possible but in the absence of any communication from Ungava, either by overland express to the Southern Department or by the Vessel to York this season, then and in that case it is to be understood that no Outfit shall be forwarded either from England or Canada next year but that Chief Factors McTavish and Beioley be directed to concert and carry into effect such measures by overland communication towards the protection and safety of the Settlement as they may consider expedient under existing circumstances.

Great benefit having been derived from the benevolent and indefatigable exertions of the Catholic Mission at Red River in the welfare, moral and religious instruction of its numerous followers and it being observed with much satisfaction that the influence of the Mission under the direction of The Right Revd. The Bishop of Juliopolis has been uniformly directed to the best interests of the Settlement and of the Country at large, it is Resolved

88. That in order to mark our approbation of such laudable and disinterested conduct on the part of said Mission, the sum of £50 be given towards its support together with an allowance of luxuries for its use.

Dr. Bunn having attended professionally on many retired Servants in Red River Settlement who on account of their indigent circumstances could not pay for medical advice and having likewise administered medicine at several of the Company's Establishments and to the families of Gentlemen belong-

ing to the Service who have been sent to Red River for the benefit of religious instruction and education during the past year, it is Resolved

89. That in consideration of, and a remuneration for such medical advice and attendance a grant of £50 be made to the same Dr. Bunn for the year terminating the 1st June 1833.

90. That for the purpose of transmitting corrected accounts from the Depot of the Summer transactions as well as of conveying information relative to the Districts in general, a Winter Express from the Depot and the interior be appointed to meet at Carleton House; the one to proceed northward via Isle a la Crosse and Athabasca and the other southward via Fort Pelly and Norway House, and that steps be also taken by means of Indians or otherwise to forward from the Depot to Norway House or Cumberland before the closing of the navigation any private letters conveyed by the Ship in order that they may reach their respective destinations before the departure of the Craft and returns in Spring. That all letters on public business be in triplicate under official signatures and when intended for general circulation to be addressed to the Governor, Chief Factors and Chief Traders.

In order to remove all difficulties as to the future mode of conveying intelligence during the Winter between the Northern and Southern Depots, it is Resolved

91. That for the Winter 1833/34 the Packet be forwarded from Moose via Albany and Severn and for the Winter 1834/35 from York via Severn and Albany and in like manner alternately hereafter.

With reference to the 96th Resolve of Council of last year and similar preceding Resolves passed with a view to the preservation of Beaver, in which the Districts are restricted to certain Returns in that Article of which nevertheless there is almost invariably an excess thereby defeating the object in view, it is Resolved

92. That Gentlemen in charge of Districts and Posts, except such as are exposed to opposition, exert their utmost efforts in discouraging the hunting of Cub Beaver and beaver out of season, and that no Beaver traps be issued from the Depot, except for sale to the Piegan Indians, and that in any cases where an unusual proportion of Cub or unseasoned Beaver appears the same be particularly represented to the Governor & Committee.

93. That all Gentlemen in charge of Districts and Posts be directed to furnish annually with the Inventories a list of

the Articles in use at each Post distinguishing them according to the condition as Good, half-worn, much-worn, also a list of Cattle or other live stock and the number of acres in cultivation and quantity of seed sown for the next Crop with quantity reaped the preceding Summer. The Cattle to be distinguished Bulls, Cows of several ages, Calves one year old, two years old, three years old and upwards without any valuation affixed.

94. That Gentlemen in charge of Districts and Posts be directed to use their utmost endeavor to collect large quantities of Leather (dressed and parchment), Buffalo Robes, Pack Cords, Snow-shoe line, Leather tents &c. &c. as they are articles absolutely necessary for the trade in many parts of the Country and cannot be purchased in Europe or Canada.

Serious inconvenience having been experienced of late years from the circumstance of Gentlemen in charge of Brigades leaving the Factory with Craft not fully laden, thereby occasioning a loss of Freight, it is Resolved

95. That the lading of all Boats belonging to Districts in the Northern Department, leaving the Depot be 70 pieces Goods of full weight or measurement except the usual allowance for passengers, viz.: 10 pieces for each Commissioned Gentleman, 5 pieces for first class Clerks, and 3 pieces for junior Clerks and Postmasters and one third of the above allowances to cover the Freight of private orders for the same classes remaining inland; that each Servant remaining inland be allowed the Freight of one piece to cover his private order, which shall be considered cargo; and that in all cases where a loss of Freight is occasioned by neglect of this Resolve the same be chargeable to the private account of the Commissioned Gentleman conducting the Brigade.

And with reference to the foregoing Resolution in order to regulate the charge of Freight of private property conveyed inland exceeding the fixed allowance, it is Resolved

96. That the same be charged to private account of the parties as follows Viz

From York Factory to McKenzies River, 50/ p. pce.
" " Athabasca, 40/ p. pce.
" " Saskatchewan, Engh. River, Lac la Pluie, Upper Red River & Swan River, 30/
" " Red River Settl. & the Winipeg Posts, 18/
" " Norway House, 14/ p. piece.

"	"	Oxford House & Nelson River, 10/ p. piece.
"	"	Churchill & Severn, 2/ p. piece.
From Norway House to McKenzies River Dist, 36/ p. pce.		
"	"	Athabasca, 26/ p. piece.
"	"	Saskatchewan, Engh. River, Lac la Pluie, Upper Red River & Swan River, 16/
"	"	Red River Settl. & the Winipeg Posts, 3/
"	"	Oxford House, 2/
"	"	York Factory, 5/

Resolved 97. That the undermentioned Clerks whose terms have expired be re-engaged for the term and at the salaries affixed to their name from 1st June 1833 viz

Joseph Charles for 3 years at £75 p. annum.
Robert Harding for 3 years at £100 p. annum.
George McDougall for 3 years at £100 p. annum.

And that the undermentioned Clerks and Postmasters whose engagements will expire 31st May next be re-engaged for the term and the salaries affixed to their names from 1st June 1834 Viz

John Ballenden,	Clerk,	for 3	years at	£75	p. annum.
John Bell	"	3	"	100	"
Thomas Dease	"	3	"	100	"
Francis Ermatinger	"	3	"	100	"
Paul Fraser	"	3	"	100	"
Donald McKenzie	"	3	"	100	"
John McLeod	"	3	"	100	"
Murdoch McPherson	"	3	"	100	"
Donald Manson	"	3	"	100	"
P. C. Pambrun	"	3	"	100	"
Charles Ross	"	3	"	100	"
Thomas Simpson	"	3	"	100	"
William Sinclair	"	3	"	100	"
John Tod	"	3	"	100	"
Benjamin McKenzie,	"	3	"	100	"
Wm. Clouston,	P.Mr.	3	"	60	"
Thos. Isbister,	"	3	"	60	"

Serious inconvenience to the Service having in many instances arisen of late from the circumstance of Clerks in

distant parts of the Country applying to the Governor and Council for permission to visit the Depot or withdraw from the District without having previously consulted the Commissioned Gentleman superintending the District and to guard against a recurrence of such inconvenience, it is Resolved

98. That no such permission shall be granted in future unless the applicant first submits his request in writing to the gentleman superintending the District to which he belongs who is hereby directed to report on the same for the information of the Governor and Council.

99. That the amount of requisition from England for Shipment 1834 for Outfit 1835 do not exceed the sum of £15,000 unless circumstances arise that cannot at present be foreseen which may render an alteration of the Indent absolutely necessary.

100. That the annexed Standing Rules and Regulations be considered in force and be acted on accordingly until rescinded except such as have been altered by the Resolves of Council of last and the Current year and that they be revived and corrected in the course of the current season at York and transmitted to England for confirmation and printing.

101. That this Council do now adjourn.

(Sigd) GEORGE SIMPSON, Governor.
J. D. CAMERON, Chief Factor.
ALEXR. CHRISTIE "
JAS. McMILLAN, "

Red River Settlement, 5th June, 1833.

The Council again sat on 8th June, 1833. Present:—
George Simpson, Governor-in-chief.
J. D. Cameron, Chief Factor.
Donald McKenzie, "
Alexr. Christie, "
Jas. McMillan, "

A medical certificate being received from Dr. Hendry of Chief Factor McKenzie's ill health which renders it necessary for him to visit the civilized world to obtain the benefit of medical advice.

Resolved 1. That leave of absence be granted to the said Chief Factor McKenzie for the Current year.

In consequence of Governor Simpson proceeding to Europe this season, the assistance of another Commissioned

Gentleman will be necessary in the Red River Settlement, it is therefore Resolved

2. That Chief Factor Christie be directed to leave York Factory after the business of the season is over and proceed thence to assume the charge of Fort Garry with all the powers heretofore vested in and held by the Governor of Assiniboia for the time being.

Chief Factor Christie's services being for the Winter transferred to the Red River Settlement, it is Resolved

3. That Chief Trader Miles be appointed to the charge of York Factory and its dependencies as heretofore expressed, as Chief Factor Christie will be required in the superintendence of the Depot business at York during the Summer of 1834, it is Resolved

4. That Chief Trader Todd shall proceed to Red River Settlement so as to arrive there on or before the 1st June, where he will superintend the business during the summer.

With reference to the Arctic Land Expedition under Captain Back, which has for its object the laudable purpose of endeavoring to discover Captain Ross or any survivors of his party, it is Resolved

5. That every possible assistance be afforded to Captain Back, and that the number of men and Craft which he may require be provided, as well as complying with and completing the Indent for Goods and Provisions to the utmost extent which our means will afford.

6. That this Council do now adjourn.

(Sigd) GEORGE SIMPSON, Governor.
J. D. CAMERON, Chief Factor.
DONALD McKENZIE, "
ALEXR. CHRISTIE, "
JAS. McMILLAN, "

Red River Settlement, 8th June, 1833.

Minutes of a Council held at Northern Department of Rupert's Land Red River, which commenced on the 3rd day of June, one thousand eight hundred and thirty-five for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said Department and in order to investigate the result of the Trade of last year conformably to the Provisions of a Deed Poll under the seal of the Governor and Company of Adventurers trading into

Hudson's Bay bearing date the 26th day of March 1826 at which were present the following Members, viz.:

George Simpson, Governor-in-chief.
J. D. Cameron, Chief Factor.
John Charles, do
Alexr. Christie, do
Wm. McKintosh, do
John Rowand, do
John Lee Lewes, do
Duncan Finlayson, do

Resolved 1. That Chief Traders be invited to attend and in consequence the following were present, viz.:

J. P. Pruden.
Fras. Heron.
James Douglas.

2. That the Rotations of Furlough for the current year 1835 are in favor of Chief Factors Alexr. Christie, John McBean and Wm. McKintosh.

3. That the rotation of Furlough of Chief Factor Christie be transferred to Chief Factor Lewes, that Chief Factor McKintosh take advantage of his rotation of Furlough and that Chief Factor McBean's rotation of Furlough be transferred to Chief Factor Stewart, who was prevented by circumstances from availing himself thereof last year.

4. That the rotations of Furlough for the current year 1835 are in favor of Chief Traders Francis Heron and J. E. Harriott.

5. That Chief Trader Heron avail himself of his rotation of Furlough accordingly and that Chief Trader J. E. Harriott's services be considered as disposable, as he has not intimated a desire of accepting his rotation of Furlough.

Information having been received of the ill health of C.F's. J. G. McTavish and P. W. Dease, it is

6. That Chief Factors J. G. McTavish and P. W. Dease be allowed leave of absence for the benefit of medical advice accordingly.

In order to guard against any misapprehension with respect to the Furloughs for the 3 ensuing years, it is Resolved

7. That they be considered as in favor of Chief Factors William Conolly, John Rowand and James McMillan, with Chief Traders Robert Cowie and Donald Ross for 1836/37. In favor of Chief Factors Allan McDonell, P. W. Dease and

John Lee Lewes, with Chief Traders John Work and William Todd for 1837/38; and in favor of Chief Factors Rodk. McKenzie, Duncan Finlayson and P. S. Ogden, with Chief Traders Jas. Hargrave and Nicol Finlayson for 1837/38.

Chief Factors J. D. Cameron and Joseph Beiolèy having expressed an anxious desire to obtain an exchange of Rotation of Furlough, so as to visit the civilized world this year, and Chief Factors John Rowand and James McMillan, whose rotations of Furlough will fall due next year, being willing to transfer the same to those Gentlemen whose services are not particularly required in the Country during the Current Outfit, it is resolved

8. That Chief Factors J. D. Cameron and Joseph Beioley be at liberty to avail themselves of the transfer of Rotation of Furlough afforded them by Chief Factors John Rowand and James McMillan accordingly; the latter Gentlemen relinquishing by this arrangement their rights of Rotation next year.

9. That the following Arrangements take place, viz.:—

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca.	Edward Smith.	A. R. McLeod.
		Colin Campbell.
McKenzies River.		Murdk. McPherson.
English River.	Rodk. McKenzie.	
Saskatchewan.	John Rowand.	J. P. Pruden.
		J. H. Harriott.
Swan River.		Wm. Todd.
Red River.	Alex. Christie.	
Lac la Pluie.	Allan McDonell.	
Jack River.		Donald Ross.
Island Lake.	John Charles.	
York.	Alex. Christie.	
Columbia.	John McLoughlin.	Saml. Black.
	Duncan Finlayson.	Archd. McDonald.
		Robt. Cowie.
		John Work.
		John Tod.
		John McLeod.
		James Douglas.
New Caledonia.	P. S. Ogden.	Alex. Fisher.

10. That the following arrangements take place, viz.:

Winter Arrangements—

Athabasca—Fort Chippewyan,	Edward Smith, C.F.
	Francis Butcher, Clk.
Dunvegan,	Colin Campbell, C.T.
Vermilion,	Chas. Roussin, P.M.
Gt. Slave Lake,	A. R. McLeod, C.T.

11. That 4 Boats, 29 men including Guide and about 250 pieces Goods constitute the Current Outfit for this District.

12. That Chief Factor Smith accompany his Brigade to Norway House Depot Summer 1836 for the purpose of attending to the business of the District and the Commissioned Gentlemen Clerks and Postmasters attached to the District remain inland and be appointed as Chief Factor Smith may consider expedient.

13. Summer Arrangements—

Fort Chippewyan, including Intrs., 3 men.
Dunvegan, including Intrs., 2 men.
Great Slave Lake, including Intrs., 2 men.

14. That Chief Trader James Hargrave take the necessary measures to prepare and forward about 200 pieces Goods to Norway House for Athabasca Outfit 1836 by Indians or Red River Carriers.

15. That encouragement be afforded for collecting as much dressed Leather as possible and that which cannot be brought to the Depot be carefully laid past inland as a large quantity will be required in the course of 2 or 3 years for New Caledonia.

16. Winter Arrangements—

McKenzies River—Fort Simpson,	Murdoch McPherson, C.T.
	Robt. Campbell, P.M.
Rivre. au Liard,	Chas. Brisbois, Clk.
Fort Halkett,	J. Hutchison, Clk.
Fort Norman,	Wm. Mowat, P.M.
Ft. Good Hope,	John Bell, Clk.

17. That about 200 pieces Goods in 3 Boats navigated by 22 men including the Guide, 16 of whom are Red River men hired for the trip and 5 men under contract as regular Servants, who are intended for the District in order to replace such Servants as may be retiring, constitute the Current Outfit.

The late discovery of Mr. John McLeod towards the sources of the East branch of the Liard River and a large river, named

Pelly's River, falling from the mountains into the Pacific, presenting a field for the extension of trade in that quarter, it is towards that object and with a view of opening communication with our Posts and Shipping in the coast, Resolved

18. That the present Establishment of Fort Halkett be remove to Dease's Lake, Summer 1836 if possible, and that measures be concerted for the purpose of establishing a new Post on the banks of that river, at least 200 miles distant in a direct line from the height of land towards the Pacific, in the Summer of 1837/38.

19. Summer arrangements—

McKenzies River—	Ft. Simpson,	Incl. Intr.	2	men.
	Rivre au Liard	"	2	"
	Fort Halkett	"	3	"
	Fort Norman	"	1	"
	Fort Good Hope	"	2	"

20. That Chief Trader Murdoch McPherson accompany the Brigade to Portage la Loche Summer 1836; and that the Clerks and Postmasters attached to the District remain inland and be appointed as Chief Trader McPherson may consider expedient.

21. That Chief Trader James Hargrave take the necessary measures to prepare and forward in the course of this Summer about 250 pieces Goods to Norway House for McKenzies River Outfit 1836; the same to be transported thence to Portage la Loche in 4 Boats to start on or before the 15th June manned by a Guide & 28 men, of whom 20 are to be engaged for the Trip at Red River, and 8 are to be under engagements of not less than 3 years and to be exchanged at the Portage for retiring Servants from the District.

22. Winter Arrangements—

English River—	Isle a la Crosse,	Rodk. McKenzie, C.F.
	Rapid River,	Geo. Deschambeault, Clk.
	Green Lake,	An Interpreter.
	Cumberland Ho.,	George Gladman, Clk., and man.
	Moose Lake,	Augustin Nolin, P.M., or John Ballandine.

23. That about 120 pieces Goods for the 3 first Posts, and 50 pieces for the latter Posts, constitute the Current Outfit from the District, to be taken inland by 3 Boats navigated by 17 Servants including the Guide; 13 of whom to be distributed

among the 3 first Posts, and the 4 remaining to be attached to Cumberland and Moose Lake, and as 4 Boats and 20 men will be required for the transport of the Returns, the remaining 3 men to be made up of Indians engaged for the Trip.

24. Summer Arrangements—

English River—Isle a la Crosse,	G. Deschambeault, Clk., and 2 men.
Rapid River,	One man.
Cumberland Ho.,	George Gladman, Clk., and man.

25. That a quantity of dried provisions equal to 80 bags Pemican be provided and forthcoming for the use of the outward and inward bound Northern Craft, Spring and Summer 1836.

26. Winter Arrangements—

Saskatchewan—Edmonton,	John Rowand, C.F. Wm. Thew, Clerk.
Carlton,	J. P. Pruden, C.T.
Rocky Mountn. Ho.,	J. E. Harriott, C.T. Patk. Small, Clk.
Fort Assineboine,	An Interpreter.
Jasper's House,	do.
Lesser Slave Lake,	Richd. Grant, Clk.
Fort Pitt,	Henry Fisher, Clk.

27. That about 500 pieces Goods in 9 Boats, manned by 46 Servants belonging to the District, constitute the Current Outfit, and that the crews be made up of ingoing Servants belonging to the Columbia District; and as by the foregoing arrangements the Saskatchewan Brigade is relieved of the Cumberland transport, the Cargoes from York be made up to 70 pieces per Boat on Freight to Norway House.

28. That 600 Bags Pemican be provided by the Saskatchewan District for the service of next year; 140 of which to be left at Cumberland and the remainder taken to Norway House; and that all the surplus Grease collected in the District be brought to the Depot in a clean and rendered state for exportation, in packages of not less than 2 Cwt.

29. That a Boat and 2 men be left at York for the purpose of conveying 12 of the new Servants, coming from Europe by the Ship, inland where it is intended they shall pass the Winter and be brought to the Depot next Summer for appointments to other Districts.

30. That the New Caledonia Requisition for Leather &c. be provided at Jasper's House to be taken thither in the course of next Summer by 5 of the recruits coming by the Ship and to be forwarded as supernumeraries this ensuing Fall; these men to remain inland and to be appointed to the Columbia Department next Fall. That the Leather &c. to be taken from Jasper's House to Tete Jaune Cache by Servants that will be appointed to New Caledonia District next year.

31. Summer Arrangements—

Saskatchewan—	Edmonton,	J. E. Harriott, C.T., & 10 men.
	Carlton,	J. P. Pruden, C.T., & 7 men
	Ft. Assineboine,	An Interpreter & 1 man.
	Jaspers House,	An Interpreter & 1 man.
	Lesser Slave Lake,	An Interpreter & 2 men.
	Fort Pitt,	An Interpreter & 3 men.

32. That the Commissioned Gentlemen, Clerks and Postmasters attached to this District remain inland and be appointed as the Chief Factor superintending the District may consider expedient unless the services of one or more Clerks be required to accompany the Brigade to the Depot.

33. That the requisite number of Horses be provided at Edmonton for the transport of the Columbia property to Fort Assineboine; the charge for transport to be 5/ for each piece of 90 lbs. weight, and that Craft be always in readiness at Fort Assineboine and the Rocky Mountain House for the conveyance of people and property belonging to the Columbia Department.

34. That Chief Factor Rowand be instructed to provide 12 new Boats for general distribution at Norway House.

35. Winter Arrangements—

Swan River—	Fort Pelly,	Wm. Todd, C.T.
		Charles Goulet, P.M.
	Fort Ellice,	J. R. McKay do
	Manitobah,	Frs. Richard do
	Shoal River	A Labourer.

36. That about 200 pieces Goods constitute the Current Outfit for this District, with 15 voyaging servants, 100 pieces of these Goods to be taken up from the Depot in 2 Boats for the trade of Fort Pelly, Manitobah and Shoal River posts; and the remainder to be forwarded to Red River Settlement for the trade of Fort Ellice, the Crews of these Boats to be

made up to 6 men each by Trippers and Cargoes to 70 pieces per Boat by Goods on Freight to Norway House.

37. That Chief Trader Todd take the necessary measures to provide 300 Bushels of Salt for the use of Red River Settlement deliverable at the North end of Manitobah Portage from whence it will be removed in course of the season; Price not to exceed 8/ per Bushel.

38. Summer Arrangements—

Swan River—Fort Pelly, Chas. Goulet, P.M., & 2 men.
Fort Ellice, J. R. McKay, do 7 do.
Manitobah, Frs. Richard, P.M.
Shoal River, A Labourer.

39. Winter Arrangements—

Red River Settl.—Fort Garry, Alexr. Christie, C.F.
Thos. Simpson, Clk.
John Rowand, Jr., P.M.
Pierre LeBlanc, P.M.
New Fort, Hector McKenzie, Clk.
Warden of the Plains, Cuthbert Grant.

40. That supplies for the use of the Colony Shop and Indian trade, amounting to about 1,200 pieces, be provided and forwarded on Freight, and that the Establishment of Servants be as follows, viz.

Fort Garry, 6 men.
New Fort, 2 men.

41. That the following supplies be procured at the Colony made up in sound and transportable packages at the annexed prices, viz.

50 Firkins of Butter @ 7d. per lb.
10 Cwt. Beef @ 3d. per lb.
800 Cwt Flour, 1st and 2nd Qualities mixed, including Packing 12/- p. Cwt.
50 Pork Hams @ 6d. p. lb.
40 Cwt. Prime Cured Pork @ 3d. p. lb.

42. That the crews of 8 Boats be engaged for the season of open water to be employed as may be required at £16 for Steersmen, £14 for Bowsmen and £12 for Middlemen.

43. That 20 men be engaged for the McKenzie River transport, and other duties that may be required of them, for the season of Open water at £16 for Steersmen, £14 for Bowsmen and £12 for Middlemen.

44. Winter Arrangements—

Lac la Pluie—Fort Frances,		Allan McDonell, C.F.
		Wm. Sinclair, Clk.
	White Fish Lake,	Thos. Taylor, P.M.
	Dallas,	An Interpreter.
	Fort Alexander,	Wm. Clouston, P.M.

45. That 200 pieces Goods, with a complement of 12 voyaging Servants, constitute the Current Outfit; 130 pieces of these Goods to be taken from York to Norway House in 2 Boats manned by 12 voyaging Servants, and the remaining 70 pieces to be transported to Norway House on Freight, and from Norway House the whole to be transported in 3 Boats manned by 4 men each. The usual quantity of Country produce to be supplied from Red River.

46. That the sum of Three Hundred Pounds Stg. be paid by draft on the Governor and Committee to Wm. A. Aitkin, Esqre.; the American Fur Company having withdrawn during the past Outfit from the frontier of the Lake Superior, Lac la Pluie, Winipeg and Red River Districts, conformably to the terms of an engagement entered into between Governor Simpson and Mr. Aitken, as per correspondence dated "Red River 21st March, 1833," the said amount to be charged to the Lac la Pluie District, Ot., 1834.

47. Summer Arrangements—

Lac la Pluie—Fort Frances,		Wm. Sinclair, Clk.
		Thos. Taylor, P.M.
		N. Castellain, Intr. and 2 men.
	Fort Alexander,	Wm. Clouston, P.M.
		James Isbister, P.M. & 2 men.

48. Winter Arrangements—

Jack River—Norway House,		Donald Ross, C.T. & 6 men
	Berens River,	Robt. Cummings, P.M. & 2 men.
	Nelson River,	Thos Isbister, P.M. & 3 men.

49. That 4 voyaging servants belonging to the District assisted by 10 Indians to be engaged for the Summer, be employed in making 2 trips between York and Norway House, with 2 Boats each carrying 70 pieces p. trip upwards or 280 pieces in all; 70 of which to form the Outfit of the first & second Posts, and 50 pieces for the third Post; the remaining 160 pieces Goods on Freight. These Outfits to be taken to the different Posts by Servants of the District assisted by Indians.

50. Summer Arrangements—

Jack River—Norway House, Dond. Ross, C.T. & 6 men.
Berens River, Robt. Cummings, P.M.
Nelson River, 1 man.

Serious inconvenience having been experienced from the irregular practice which has hitherto been observed at Norway House of opening Accounts with other Establishments & servants belonging to other Districts.

51. That with the exception of Red River produce no supplies of any description be given either to Districts or Servants belonging to other Establishments.

52. That Norway House be considered the Depot of Athabasca District and that the Outfit and supplies for Servants be forwarded from York Factory, the freight of which to be chargeable to Athabasca District and the Norway House be allowed 12½ p. cent. advance upon York or Inventory prices on sales to Servants in order to cover all charges of Storage, Packing, &c.

As it is found that much irregularity and inconvenience arise from the circumstance of Gentlemen in charge of Brigades making up the Lading of Craft leaving Norway House to York without consulting the Gentleman in charge of Norway House who is in regular communication with the Gentleman in charge of York Depot on the subject, it is Resolved

53. That in order to guard against a recurrence of such irregularity and inconvenience the ladings of all downgoing Craft from Norway House to York be regulated in regard to the description of Cargo by the Gentleman in charge of Norway House who must prepare correct Bills of Lading of all such Cargoes amounting to 65 pieces from Norway House, 5 of which to be left at Oxford and the remaining 60 delivered at York one Copy of the Bills of Lading to be forwarded with the Craft to York and another to be retained at Norway House.

54. That the two-decked vessels be laid up for the ensuing Winter at Red River and the Crews employed there as may be required.

55. Winter Arrangements—

Island Lake—Oxford House, John Charles, C.F.
Island Lake, Wm. McKay, P.M.

56. That about 80 pieces Goods to be transported from the Depot in a Boat, manned by 7 men, constitute the Current Outfit of this District.

Resolved 57. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M. & 1 man.
Island Lake, 1 man.

58. That Chief Factor John Charles be directed to employ 4 Boats, manned by 32 Indians and a Guide, in performing a double trip between the Depot and Norway House, in the transport of Goods and Returns; the lading of each Boat upwards p. trip to be 80 and downwards 70 pieces; 5 of which to be left at Oxford House and the remaining 65 ps. p. Boat to be deliverable at York.

59. Winter & Summer Arrangements—

York—York Factory, James Hargrave, C.T.
John Ballenden, Clerk.
E. H. Whiffen, Surgeon.
Joseph Charles, Clk.
Wm. McTavish, Clk.
John Rendall, P.M.
Churchill, Robert Harding, Clk.
Severn, Robert Wilson, P.M.

60. That Chief Factor Christie be directed to conduct the Summer Depot business as usual; and, owing to the very irregular manner in which the Pack store business has been conducted during the 3 past years, that Chief Factor Charles be appointed to the management of that Department during the ensuing Summer, and that Chief Factor Christie be authorized to avail himself of the services of the 2 most efficient Clerks, who may visit York this season to attend to the business of the Sale Shops, which have by no means been in a regular State of late.

61. That 30 men including Mechanics constitute the Winter & Summer Establishment of York Factory.

62. That a scale of allowances forwarded by Governor Simpson to the depots in the Northern, Southern, Montreal and Columbia Departments last winter be hereafter acted on; likewise the instructions contained in that Gentleman's circular of 15th December 1834 on the same subject, addressed to the Gentlemen in charge of those Depots.

63. That 4 men constitute the Summer Establishment of Churchill, with an Outfit amounting to about 100 pieces Goods & Provisions, and in order to encourage the Oil Trade, the *Frances* Schooner be attached to that Post; the Master and Crew of 5 men, including a Cooper, with one man belonging to the

Post, to be employed during the months of June and July in fishing and preparing the Oil at Seal River; in August the Vessel to proceed to York with the Returns thence to Severn with the Outfit for that Post and for the Returns, which are to be taken to the Depot, where the Schooner will be employed until the 15th September in discharging and re-loading the Ship from Europe, and then return to Churchill with the Outfit of that Post, where she will be laid up for the Winter, and the Master and Crew be employed as the Clerk in charge may consider expedient.

64. That 60 pieces Goods & Provisions, with three Servants, constitute the Current Outfit of Severn, and that Robert Wilson, Postmaster, with one of these Servants, remain at the Post, during the Summer, and the other two proceed to York early in June, for the purpose of being employed there during the Summer.

65. Columbia Arrangements—

Fort Vancouver—	John McLoughlin, C.F.
	Duncan Finlayson, C.F.
	Robert Cowie, C. Trader.
	James Douglas, C. Trader.
	George T. Allan, Clerk.
	Benjamin McKenzie, Clerk.
	Meredith Gardner, M.D.
Fort Colville—	Archd. McDonald, C. Tader.
Coutanais Post—	Alexander Anderson, Clerk.
Flatheads Post—	Fras. Ermatinger, Clerk.
Thompson River—	Samuel Black, C. Trader.
Okanagan—	An Interpreter.
Nez Percez—	P. C. Pambrum, Clerk.
Nisqually—	Wm. Kitson, Clerk.
Fort Langley—	Whitby's Isld., J. M. Yale, Clerk.
Fort Simpson—(Nass)	James Birnie, Clerk.
	John Kennedy, Surgeon.
Fort McLoughlin (Millbank)—	Dond. Manson, Clk.
	Wm. T. Tolmie, Surgeon.
Umpqua Expedition—	John McLeod, C. Trader.
	Michel Laframboise, Intr.
Coasting Trade—	John Work, C. Trader.
Disposable—	John Tod, C. Trader.
	W. G. Rae, C. Trader.
Shipping—*Drydale,*	Chas. Kippling, Commander.
	George Langley, 1st Mate.
	2nd Mate.

Lama,	Wm. H. McNeil, Commander.
	Jas. Scarborough, 1st mate.
	Alexr. Lattey, 2nd mate.
Cadboro,	Alexr. Duncan, Commander.
	Wm. Heath, 1st Mate.
	James Sangster, 2nd Mate.

66. That it be discretionary with Chief Factor McLoughlin to make the appointments of those Gentlemen as he may consider expedient.

67. That 12 men be provided for this District, to accompany the Saskatchewan Brigade under the charge of Chief Factor Rowand until they reach Edmonton, and from thence proceed under the charge of Chief Factor Finlayson to Vancouver, unless he may receive instructions from Chief Factor McLoughlin *en route*, by which he will regulate his movements.

68. That Chief Factor McLoughlin take the necessary steps to employ the shipping in the coasting and timber trade and to carry into effect the object noticed in the Governor & Committee's Dispatch of 10th December 1834 and in Governor Simpson's letter of June 1835.

69. New Caledonia Arrangements—

Stuarts Lake,	P. S. Ogden, Chief Factor.
	John McLean, Clerk.
Frazers Lake,	Donald McKenzie, Clerk.
McLeods Lake,	Paul Fraser, Clerk.
Alexandria,	Alexr. Fisher, Chief Trader.
Chilcotens,	Wm. F. Lane, Clerk.
Babines,	Wm. McBean, P.M.
Conollys Lake,	Thomas Deasé, Clerk.
Fort George,	George Linton, Clerk.

Disposable—John McIntosh, Clerk.
Archd McDonald, Clerk.

70. That it be discretionary with Chief Factor Ogden to make the appointments of these Gentlemen as he may consider expedient.

71. That 5 men be provided for this District to be forwarded by the Columbia Brigade, to replace the retiring servants from this District, and that they proceed via Thompsons River, Okanagan and Alexandria.

72. That Chief Trader Ogden's requisition for leather &c. for the use of New Caledonia District be provided at Jasper's House by Chief Factor Rowand, and be forwarded by the in-

going Servants of next year to Tete Jaune Cache, where they are to meet a Canoe in the Autumn from New Caledonia for the purpose of transporting it thither.

With reference to further arrangements connected with the Columbia Department generally, it is Resolved

73. That the same be determined by letter to be written by Governor Simpson to the Chief Factors superintending the Columbia & New Caledonia affairs.

74. That the annual allowance to the Catholic Mission of Red River Settlement be increased to £100, and that the usual supplies, of Tea, Sugar, Wine, &c., for the use of the Mission be continued.

75. That a further grant of £100 be made to the Catholic Mission of Red River Settlement, in aid of the Church now being erected at that place.

The allowance of £50 p. annum usually given to Dr. Bunn for medical advice to the Honble Company's Establishment at Red River, the retired servants who cannot afford to pay for such and all other Pauper Settlers, being insufficient to remunerate him for the time and attention devoted to such professional duty, it is Resolved

75. That the allowance usually given to Dr. Bunn for such services be increased to £100 p. annum commencing with the Outfit terminating 1st Inst.

The very great benefits that are likely to arise connected with the objects of morality, religion and education not only in Red River but through the Country at large, from the highly respectable and admirably conducted Boarding School, lately established for the instruction of the youth of both sexes under the management of the Revd. Mr. Jones, excites feelings of the most lively interest in its favor, and of great solicitude for its prosperity and success, which even in a business point of view are very desirable from the large amount of Capital it brings into circulation, while it is highly creditable to the Country and honourable to the Gentlemen who have come forward so handsomely in its support; but it is with unfeigned regret we observe that, owing to the heavy expense incurred by Mr. Jones in erecting the necessary buildings for this Seminary, it cannot possibly, at the present charge for board & education, afford remuneration adequate to the labour bestowed by Mr. Jones upon it and the outlay of money it has occasioned to him; and as an increased charge for Board and Education might operate to the prejudice of this Establishment in its infant state, it is Resolved

77. That an allowance be made to the Revd. Mr. Jones of £100 p. annum in aid of this highly promising establishment subject to the approbation of the Governor and Committee, and it is further Resolved

78. That a vote of thanks be presented to Mr. & Mrs. Jones, for the readiness with which they entered into the views and wishes of the Gentlemen in the Country, when requested to undertake the formation of such an establishment, for the deep and lively interest they take in the improvement, and for the unremitting attention they pay to the health and comfort of the young folk entrusted to their care.

79. That a grant of £300 be made towards the expenses of building a gaol about to be erected at Red River Settlement and in aid of other Public Works in progress there.

80. That the engagement of John Ballenden Clerk be renewed for a term of 3 years from the 1st June 1834 at a salary of £100 p. annum and that the engagements of the undermentioned Clerks and Postmasters be renewed from the 1st June 1835 for a term of 3 years at the salaries affixed to their names respectively, viz.:

George T. Allen,	Clerk	at	£100	p.	annum.
James Birnie	"	"	100	"	"
Henry Fisher	"	"	100	"	"
Richard Grant	"	"	100	"	"
John Hutchison	"	"	100	"	"
Wm. F. Lane	"	"	100	"	"
George Linton	"	"	100	"	"
John McLean	"	"	100	"	"
James M. Yale	"	"	100	"	"
Robert Cummings	P.M.	"	40	"	"
Pierre LeBlanc	"	"	75	"	"
John R. McKay	"	"	50	"	"
Wm. McKay	"	"	50	"	"
John Randall	"	"	50	"	"
Robert Wilson	"	"	40	"	"

81. That the engagement of the undermentioned Clerks and Postmasters be renewed for a term of 3 years from 1st June 1836 at salaries affixed to their names respectively

Joseph Charles,	Clerk	at	£100	p.	annum.
Robert Harding	"	"	100	"	"
Charles Goulet,	P.M.	"	35	"	"
Wm. McBean	"	"	50	"	"
Francois Richard	"	"	25	"	"

82. That a gratuity of £50 be given to John Rendall for his exertions in repairing the Ship *Prince Rupert* at Churchill, Summer 1834.

83. That the amount of requisition from England for shipment in 1836 Outfit for 1837 do not exceed the sum of £28,000 sterling.

84. That no servants be permitted to settle at Red River Colony unless they become purchasers from the proprietors of soil of at least 50 acres of land at 7/6 per acre, payment thereof to be deposited with the Gentlemen in charge of the Depots to which they have been attached previous to their departure from the Settlement.

85. That a Winter Express from the Depot and the Interior be appointed to meet at Carlton; the one to proceed northward via Isle a la Crosse and Athabasca, and the other southward via Fort Pelly and Norway House, and that all private letters conveyed by the ship be forwarded from the Depot to Norway House or Cumberland before the closing of the navigation.

86. That the Gentlemen in charge of Lake Superior District be instructed to forward a Packet from the Sault St. Marys to Red River on the 1st February, with all letters and papers that may be collected at the Sault or elsewhere within his charge previous to that date; and that no other Express be forwarded unless rendered necessary by very important circumstances, and that one Packet be sent only from Red River to the Southern Department, Canada and England, after the close of the navigation which is to be dispatched on the 1st December, unless urgent business should render more frequent communications necessary.

87. That the Old Standing Rules and Regulations be rescinded; that those which are annexed be considered in force and that they be transmitted to England for confirmation and printing.

Minutes of Council 1836.

Minutes of Council held at Norway House Northern Department of Rupert's Land on the 21st day of June, One Thousand, Eight hundred and thirty six for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said Department and in order to investigate the result of the Trade of last year, con-

formably to the Provisions of a Deed Poll under the seal of The Governor & Company of Adventurers of England trading into Hudsons Bay bearing date the 26th day of June One Thousand Eight Hundred and Thirty Four, at which were present the following Members, viz:

George Simpson, Governor in Chief.
John Charles, Chief Factor.
John Rowand, Do
Allan McDonell, Do
Peter W. Dease, Do
Donald Ross, Chief Trader.
Wm. Todd, Do
Richard Grant, Do

Resolved 1. That the rotations of Furlough for the Current year 1836 are in favor of Chief Factors William Conolly, John Rowand and James McMillan.

2. That Chief Factors Rowand and McMillan having been allowed last year to transfer their rotations of Furlough in advance for the Current year to Chief Factors J. D. Cameron and Joseph Beioley, they are no longer at liberty to avail themselves of such rotations; their services are therefore disposable for the Current Outfit, and Chief Factor Conolly having declined availing himself of his rotation of Furlough, his services are likewise disposable and are accordingly made applicable to the Montreal Department.

3. That the rotations of Furlough for the Current year 1836 are in favor of Chief Traders Robert Cowie and Donald Ross.

4. That Chief Trader Robert Cowie avail himself of his rotation of furlough accordingly, and that Chief Trader Donald Ross be permitted to transfer his Rotation of Furlough to Chief Trader Richard Grant.

In order to guard against any misapprehension with respect to the Furloughs for the 3 ensuing years, it is Resolved

5. That they be considered as in favor of Chief Factors Allan McDonell, Peter W. Dease and John Lee Lewes, with Chief Traders John Work and William Todd for 1837/38; in favor of Chief Factors Roderick McKenzie, Duncan Finlayson, and Peter Skene Ogden, with Chief Traders James Hargrave and Nicol Finlayson for 1838/39; and in favor of Chief Factors J. P. Pruden, Alexr Rodk McLeod and Colin Robertson, with Chief Traders Richard Hardisty and John Tod for

1839/40; but as Chief Factor Allan McDonell in 1834/35, Peter W. Dease and J. Lee Lewes, 1835/36, likewise C. T. John Tod in 1835/36 have been absent from the Service, either on exchanges of Furlough or on account of ill health, they be not allowed to take advantage of the rotation of Furlough above stated.

6. That an extension of Furlough or leave of absence be accorded to Chief Factors Colin Robertson, John Stuart, James Keith and Joseph Beioley and to Chief Trader Todd until the 25th April 1837, when they are hereby required to present themselves at Lachine for the purpose of proceeding to such Wintering grounds as they may hereafter be appointed to, either by the Governor and Committee or by Governor Simpson, in the absence of further instructions from either the Council of the Northern or Southern Department on this subject; and with regard to Chief Factor Colin Robertson it is to be understood and intimated to him that, should his services not be available next season at the date aforementioned, he will be considered as having retired from the Fur Trade.

7. That an extension of Furlough for the Current Outfit 1836/37 be afford to Chief Factor William McKintosh, in consideration of his having given his resignation from the Service to commence with the 1st June 1837—say Outfit 1837/38.

8. That as Chief Factor John Lee Lewes and Chief Trader Francis Heron will be coming out by the Ship and will arrive too late to render their services available for the Current Outfit, they be allowed leave of absence until the 1st June 1837 and that they be provided with passage to Red River, there to Winter at their own expense.

9. That the following appointments take place.

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca.	Edward Smith, C.F.	Colin Campbell, C.F
	Alexr R. McLeod.	
McKenzies River.		M. McPherson.
English River.	Rodk McKenzie.	
Saskatchewan.	J. Rowand.	J. E. Harriott.
	J. P. Pruden.	
Swan River.		William Todd.
R. River Settlemt.	Alexr. Christie.	
Lac la Pluie.	Allan McDonell.	
Jack River.		Donald Ross.
Island Lake.	John Charles.	

York Factory.	James Hargrave.	George Gladman.
Columbia.	John McLoughlin.	Saml. Black.
	Duncan Finlayson.	Archd McDonald.
		John Work.
		J. McLeod, Jnr.
		Jas. Douglas.
New Caledonia.	P. S. Ogden.	Alexr. Fisher.
Arctic Exploring Expedition	P. W. Dease.	

10. That the following arrangements take place, viz:

Winter Arrangements—

Athabasca—Fort Chippewyan,	Edwd. Smith, C.F.
	Fras. Butcher, Clk.
Dunvegan,	Colin Campbell, C.T.
Vermilion,	Chas. Roussin, P.M.
Gt. Slave Lake,	A. R. McLeod, C.F.

11. That 4 Boats, 29 men including a Guide, and about 250 pieces Goods constitute the Current Outfit for this District.

12. That Chief Factor Smith accompany his Brigade to Norway House Depot Summer 1837, for the purpose of attending to the business of the District, and that the Commissioned Gentlemen, Clerks and Postmasters remain inland and be appointed as C.F. Smith may consider expedient.

The encouragement afforded by Athabasca and McKenzies River Districts for the assembling of Indians in large bodies at Portage la Loche, being found exceedingly injurious to English River District and likely to become dangerous to the passing Brigades, it is Resolved

13. That the Gentlemen in charge of Brigades belonging to those Districts, be strictly prohibited from affording any such encouragement in future, either by payment on public account or by private payments on the part of the people for assistance in transporting the Outfits or returns on that Portage.

14. Summer Arrangements—

Athabasca—Fort Chippewyan,	3	men	incg	Intr.
Dunvegan,	2	"	"	do
Vermilion,	2	"	"	do
Gt. Slave Lake,	2	"	"	do

15. That Chief Trader Hargrave take the necessary measures to prepare and forward about 200 pieces Goods to Norway House, for Athabasca Outfit 1837, by Indians or Red River Carriers.

16. That encouragement be afforded for collecting as much dressed leather, sinews, babiche and packcords as possible and that what cannot be brought to the Depot be carefully laid past inland as a large quantity will be required in the course of 2 or 3 years for New Caledonia.

17. Winter Arrangements—

McKenzies River—Fort Simpson, Murh McPherson C.T.
Robt. Campbell P. M.
Adam McBeath do
Rivre au Liard, Chas. Brisbois Clk.
Fort Norman, William Mowat P. Mr.
Ft. Good Hope, John Bell Clk.
Fort Halkett (removed to Dease's Lake)
John Hutchison Clk.

18. That about 250 pieces goods in 4 boats navigated by 32 men including the guide, 25 of whom are Red River men hired for the trip and 8 men under contract as regular servants who are intended for the District in order to replace retiring & deceased servants, constitute the Current Outfit.

The Governor and Committee being desirous that a Post should be established as early as possible on Pelly's (supposed) Stikine River falling into the Pacific, for the purpose of intercepting the valuable trade which now finds its way to the Coast and there falls into the hands of the Russians and Americans It is resolved,—

19. That an officer and 6 men be forwarded with Outfit 1837, in order to enable Chief Trader McPherson to establish a post to be called Fort Drew in the Summer of 1838 down that river at a distance of at least 200 miles from Dease's Lake.

20. Summer Arrangements—

McKenzies River—Ft. Simpson, 2 men including Intr.
Rivre au Liard, 2 men including Intr.
Ft. Halkett, 3 men including Intr.
Ft. Norman, 1 man including Intr.
Ft. Good Hope, 2 men including Intr.

21. That Chief Trader McPherson accompany his Brigade to Portage la Loche, Summer 1837, and that Clerks and Post-

masters attached to the District remain inland and be appointed as C. T. Murdoch McPherson may consider expedient.

22. That Chief Trader James Hargrave take the necessary measures to prepare and forward in the course of the Summer about 250 pieces goods to Norway House for McKenzies River Outfit 1837; the same to be transported thence for Portage la Loche in 4 boats to start on or before the 15th June, manned by a guide and 32 men; of whom 24 are to be engaged for the trip at Red River; 4 servants under engagements of not less than 3 years, to replace retiring servants, and the remaining 4 to form part of the establishment of Fort Drew, as provided in the 19th Resolution.

In order to save the heavy expense incurred by Canadian servants coming out too late to retire to Canada the same season, it is Resolved

23. That in future European servants only be sent into McKenzies River, who when they retire will always reach York Factory in time to return to England by the ship.

24. Winter Arrangements—

English River—Isle a la Crosse, Rodk. McKenzie C.F.
Rapid River, Geo. Deschambault Clk.
Green Lake, Thos. Hodgson.
Cumberland, Chas. Ross Clerk
Moose Lake, John Ballendine P.M.

25. That about 120 pieces goods for the three first Posts and 50 pieces for the two last Posts constitute the Current Outfit for this District, to be taken inland by 3 boats navigated by 17 servants including the guide, 13 of whom to be distributed among the 3 first Posts and the remaining 4 to be attached to Cumberland and Moose Lake, and as 4 boats and 20 men will be required for the transport of the returns the remaining 3 men to be made up by Indians hired for the trip.

26. Winter Arrangements—

English River—Isle a la Crosse, Geo. Deschambault & 2 men.
Rapid River, 1 man.
Cumberland Ho., Clerk & 1 man.

27. That a quantity of dried provisions equal to 80 bags Pemican be provided and forthcoming for the use of the outward and inward bound Northern Craft, Spring and Summer 1837.

28. Winter Arrangements—

Saskatchewan—Edmonton,		John Rowand, C.F.
		William Thew, Clerk.
	Carlton,	J. P. Pruden, C.T.
	Rocky Mtn. Ho.,	J. E. Harriott, C.T.
		Patk. Small, Clerk.
	Fort Assineboine,	John Rowand, Jr., P.M.
	Jasper's House,	An Interpreter.
	Lesser Slave Lake,	Geo. McDougall, Clk.
	Fort Pitt,	Henry Fisher Clk.

29. That about 500 pieces goods in 9 boats manned by 40 servants belonging to the District, constitute the Current Outfit and that the crews be made up by ingoing servants belonging to the Columbia and New Caledonia Districts; and as by the foregoing arrangements the Saskatchewan Brigade is relieved of the Cumberland transport, the cargoes from York to be made up to 70 pieces goods per boat in freight to Norway House.

30. That 600 bags Pemican be provided by the Saskatchewan District for the service of next year, 100 bags of which to be left at Cumberland and the remainder taken to Norway House, and that all the surplus grease collected in the District be brought to the Depot in a clean and rendered state for exportation.

31. That a boat and 2 men be left at York for the purpose of conveying 12 of the Servants, coming from Europe by the ship, inland where it is intended they shall pass the Winter and be brought to the Depot next Summer for general distribution.

32. That the New Caledonia requisition for leather &c. be provided at Jasper's House; to be taken thither in the course of next Summer by six of the recruits, coming by the ship, and to be forwarded as supernumeraries, this ensuing Fall; these men to remain inland and to be appointed to the Columbia Department next year; the leather to be transported from Jasper's House by the Columbia Portage to Okanagan.

33. Summer Arrangements—

Saskatchewan—Edmonton,		J. E. Harriott, C.T.
		Patk. Small, Clk. & 12 men.
	Carlton,	J. P. Pruden, C.F. & 7 men
	Fort Assineboine,	An Interpreter & 1 man.
	Lesser Slave Lake,	William Thew, Clk & 2 men.
	Fort Pitt,	Henry Fisher, Clk & 4 men.

34. That all Commissioned Gentlemen, Clerks and Postmasters attached to the District remain inland and be appointed as the Chief Factor superintending the District may consider expedient unless the services of one or more Clerks be required to accompany the Brigade to the Depot.

35. That the requisite number of horses be provided at Edmonton for the transport of the Columbia property to Fort Assiniboine; the charge of transport to be 5/- for each piece of 90 lbs. weight; and that craft be always in readiness at Fort Assiniboine and the Rocky Mountain House for the convenience of people and property belonging to the Columbia Department.

36. That Chief Factor Rowand be instructed to provide 12 new boats of not less than 28 feet keel for general distribution at Norway House.

37. Winter Arrangements—

Swan River—Fort Pelly, William Todd, C.T.
Charles Goulet, P.M.
Fort Ellice, J. R. McKay do
Manitobah, Frs. Richard do.
Shoal River, A Labourer.

38. That about 200 pieces Goods constitute the Current Outfit for this District, with 15 voyaging Servants, 100 Pieces of these Goods to be taken from the Depot in 2 Boats for the trade of Fort Pelly, Manitobah and Shoal River Posts, and the remainder to be forwarded to Red River Settlement for the trade of Fort Ellice; the Crews of these Boats to be made up to 6 men each by Trippers, and the Cargoes to 70 pieces p. Boat by Goods on freight to Norway House.

39. That Chief Trader Todd take the necessary steps to provide 300 bushels of salt for the use of Red River Settlement deliverable at the north end of Manitobah Portage from whence it will be removed in the course of the season; price not to exceed 8/ p. Bushel, and 50 Bushels to be delivered at Norway House for general distribution.

40. Summer Arrangements—

Swan River—Fort Pelly, Charles Goulet, P.Mr. & 2 men
Fort Ellice, J. R. McKay " 7 do
Manitobah, Frs Richard "
Shoal River, A Labourer

41. That greater encouragement than heretofore be given for the trade in Buffalo Robes, which from the want of such

encouragement falls into the hands of the American Traders on the Missouri.

42. Winter Arrangements—

Red River Settlement—Fort Garry, Alexr. Christie, C.F.
John Ballenden, Clk.
Hector McKenzie do
Pierre LeBlanc P.M.
George Taylor, Surveyor.
New Fort, George Setter, P.M.
Warden of the Plains, Cuthbert Grant

43. That supplies for the use of the Colony Shop and Indian trade amounting to about 160 pieces, be provided and fonwarded on Freight, and that the Establishment of Servants be as follows, viz.:

Fort Garry, 3 servants
New Fort, 2 do

44. That tradesmen and laborers be employed in erecting and completing the necessary building of the New Establishment of Fort Garry, and that a sufficient quantity of stone be quarried and hauled in the Winter for the Bastions and surrounding Walls.

45. That agreeably to the second Paragraph of the Governor and Committee's Dispatch of 9th March last, the necessary measures be taken to form an Agricultural Establishment on a large scale, for the purpose of rearing sheep and for the growth of Flax and Hemp (with a view of an export trade) under the management of Mr. Carey, and that Chief Factor Christie concert measures with Chief Trader Hargrave for the conveyance of the Gentleman and the people, who may accompany him, to the Settlement and for providing ironworks and implements of Agriculture &c. &c. for the object noticed in that Dispatch.

46. That the following supplies be provided at the Colony for exportation to Norway House Summer 1837, made up in sound & transportable Packages, at the annexed prices, Viz

10	Cwt Beef	3d p. lb.
20	" Biscuit	3d " "
50	Firkins Butter	7d " "
3	Cwt Cheese	6d " "
1000	" 1st & 2nd Flour Kiln dried 12/ p. cwt. incl. packing	
30	Pork Hams	6d p. lb.

10 Cwt Pork 3d " "
15 assortments Garden seeds @ 18/.
100 Portage Straps @ 2/.

47. That the Crews of 4 Boats, say 28 men, be engaged for two Trips to York Factory (returning from Norway House) with ladings of 75 pieces p. Boat, at £12 for Steersmen, £10.10 for Bowsmen and £9 for Middlemen, and that the remainder of the Outfit be freighted from York on Contract with Settlers at 18/ p. piece to Red River and 14/ to Norway House.

48. That a Guide and 24 men be engaged for the McKenzies River transport and the Fall Freight from York to Red River, at £25 to the Guide, £16 to Steersmen, £14 to Bowsmen and £12 to Middlemen.

49. That in all cases of payments in Canada for Goods or Cash supplied in Red River an exchange of 7 per Cent be added to the Sterling Amount before converting it into Halifax Currency.

50 Winter Arrangements—

Lac la Pluie—Fort Frances, Allan McDonnell, C.F.
Wm. Sinclair, Clk.
Lac du Bois Blanc, Thos. Taylor, P.M.
Rat Portage, Jas. Isbister, Intr.
Ft. Alexander, Dond. McKenzie, Clk.

51. That about 260 pieces Goods, with a complement of 12 Voyaging Servants, constitute the Current Outfit; 140 pieces of those Goods to be taken from York to Norway House in 2 Boats manned by 12 Voyaging Servants, and the remaining 140 pieces to be transported to Norway House on freight, and from Norway House the whole to be transported in 4 Boats, manned by 3 men each with the assistance of Indians; the usual quantity of Country Produce to be supplied from Red River.

52. That the sum of Three hundred Pounds Sterling be paid by draft on the Governor and Committee to William A. Aitken Esqre. of the American Fur Company, in consideration of their opposition having been withdrawn, during the past Outfit, from the frontiers of the Lake Superior, Lac la Pluie, Winipeg and Red River Districts, conformably to the terms of an agreement entered into between Governor Simpson and Mr. Aitken, as per correspondence dated Red River 21st March 1833; the said amount to be charged to the Lac la Pluie department.

53. Summer Arrangements—

Lac la Pluie—Fort Frances, Thos. Taylor, P.M.
Chastellain, Intr. & 2 men.
Fort Alexander, Dond. McKenzie, Clk.
J. Isbister, Intr. & 2 men.

54. Winter Arrangements—

Jack River—Norway House, Dond Ross, C.T.
Thos. Isbister, P.M. & 6 men.
Berens River, Robt. Cummings, P.M. & 2 men
Nelson River, John Isbister, P.M. & 3 men.

55. That 4 Voyaging Servants belonging to the District, assisted by 20 Indians to be engaged for that purpose, be employed in making one trip between York and Norway House, with 3 Boats carrying 80 pieces each pr. trip upward or 240 pieces in all; 70 pieces of which to form the Outfit for the 1st and 2nd Posts and 50 pieces for the 3rd Post, the remaining 120 pieces Goods on freight. These Outfits to be taken to the different Posts by the Servants of the District, assisted by Indians.

56. Summer Arrangements—

Jack River—Norway House, Donald Ross, C.T.
Thos. Isbister, P.M. & 6 men.
Berens River, Robt. Cummings, P.M. & 1 man.
Nelson River, John Isbister, P.M.

57. That with the exception of Red River produce no supplies of any description be given either to Districts or Servants from this Establishment.

58. That Norway House be considered as the Depot for Athabasca District and that the Outfit and supplies for servants be forwarded from York Factory the freight thereof to be chargeable to Athabasca District and that Norway House be allowed 12½ p. Cent advance upon York or Inventory prices, on sales to Servants in order to cover all charges of Storage Packings &c.

As it is found much irregularity and inconvenience arise from the circumstance of Gentlemen in charge of Brigades making up the ladings of Craft, going from Norway House to York without consulting or being influenced by the Gentleman in charge of Norway House who is in regular communication with the Gentleman in charge of York Depot, on that subject, it is Resolved

59. That in order to guard against a recurrence of such irregularity and inconvenience, the ladings of all downgoing Craft from Norway House to York be regulated in regard to the description of Cargo by the Gentlemen in charge of Norway House who must prepare correct Bills of Lading of all such Cargoes amounting to 65 pieces, from Norway House; 5 of which to be left at Oxford and the remaining 60 to be delivered at York; one Copy of the Bills of Lading to be forwarded with the Craft to York and another to be retained at Norway House.

60. That the two decked Vessels be laid up the ensuing Winter at Norway House there to undergo a thorough repair and that the Crews be employed as may be required.

61. Winter Arrangements—

Island Lake—Oxford House, J. Charles, C.F.
Island Lake, Wm. McKay, P.M.

62. That about 80 pieces Goods to be transported from the Depot in a Boat manned by 7 men constitute the Current Outfit of this District.

63. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M. & 1 man.
Island Lake, 1 do

64. That Chief Factor Charles be directed to employ 4 Boats, manned by 32 Indians and a Guide, in performing a double trip between the Depot and Norway House and the transport of Goods and Returns; the lading of each Boat upwards to be 80 and downwards 70 pieces, 5 of which to be left at Oxford House and the remaining 65 pieces p. Boat to be delivered at York.

65. Winter & Summer Arrangements—

York—York Factory, James Hargrave, C.T.
George Gladman, do.
E. H. Whiffen, Surgn.
Wm. McTavish, Clk.
George Rendall, P.M.
Churchill Robert Harding, Clk.
Severn, Robert Wilson, P.M.

66. That Chief Factor Charles be appointed to the management of the Fur Stores during the ensuing Summer; and Chief Trader Hargrave be authorized to avail himself of the services of the most efficient Clerks, who may visit York this season, to attend to the business of the sale shops.

67. That 30 men including Mechanics and the crew of the Schooner *Frances* constitute the Winter and Summer Establishment of York Factory.

68. That 6 men constitute the Winter & Summer Establishment of Churchill, with an Outfit amounting to about 100 pieces Goods and provisions, to be transported from York during the Summer by the *Frances* Schooner.

69. That 60 pieces Goods and Provisions, with 3 Servants, constitute the Current Outfit of Severn, and that Robert Wilson, Postmaster, with one of these Servants, remain at the Post during the Summer, and the other two proceed to York early in June for the purpose of being employed there during the Summer.

70. Columbia Arrangements—

Fort Vancouver—John McLoughlin, C. Factor.
Duncan Finlayson, do
James Douglas, C. Trader.
The Revd. Mr. Beaver, Chaplain.
George T. Allan, Clerk.
Benjm. McKenzie, do.
Meredith Gardner, M.D.
Fort Colvile—Archd McDonald, C. Trader.
Coutonais—Wm. G. Rae, Clerk.
Flat Heads—Fras. Ermatinger, Clerk.
Thompson River—Samuel Black, C. Trader.
Okanagan—An Interpreter.
Nez Percez—P. C. Pambrun, Clerk.
Nasqually—William Kittson, do
Fort Langley—J. M. Yale, do
Ft. Simpson (Nass)—James Birnie, do
John Kennedy, Surgeon.
Ft. McLoughlin (Milbank)—Dond Manson, Clk.
Wm. F. Tolmie, Surgeon.
Umpqua Expedition—John McLeod Jnr. C.T.
Michel Leframboise, Intr.
Coasting Trade—John Work, C. Trader.
Shipping *Beaver* Steamer—Captn. D. Holme
1st Mate.
2nd do.
Nereide Commander.
1st Mate.
2nd do.

Lama	Wm. H. McNeil, Commr.
	Jas. Scarborough, 1st Mate.
	Alex. Lattey, 2nd do.
Cadboro	Commander
	Wm. Heath, 1st Mate.
	Jas. Sangster, 2nd Mate.

71. That it be discretionary with Chief Factor McLoughlin to make the appointments of those Gentlemen as he may consider expedient.

72. That 20 men be provided for this District, to accompany the Saskatchewan Brigade under the charge of Chief Factor Rowand until they reach Edmonton, and from thence proceed under the charge of Mr. Benjamin McKenzie to Vancouver, unless he may receive further instructions from Chief Factor McLoughlin *en route,* by which he will regulate his movements.

73. That Chief Factor McLoughlin take the necessary steps to employ the Shipping on the Coasting and Timber trade and to carry into effect the objects noticed in the Governor and Committee's Dispatches of 28th August, 8th December 1835, and 10th Feby 1836, and in Governor Simpson's Letter of 25th June 1836.

74. New Caledonia Arrangements—

Stuart's Lake—Peter S. Ogden, Chief Factor.
Alexr. Anderson, Clerk.
Fraser's Lake—Archd. McKinley, do.
McLeod's Lake—Paul Fraser, do.
Alexandria—Alexr Fisher, Chief Trader.
Chilcotins—Wm. F. Lane, Clerk.
Babines—Wm. McBean, Postmaster.
Conolly Lake—John McKintosh, Clerk.
Fort George—John McLean do

75. That it be discretionary with Chief Factor Ogden to make the appointments of those Gentlemen as he may consider expedient.

76. That men be provided for this District to be forwarded by the Columbia Brigade, to replace the retiring Servants from this District, and that they proceed via Okanagan, Thompson's River and Alexandria.

77. That Chief Factor Ogden's requisition for leather &c be provided at Jasper's House by Chief Factor Rowand, and be forwarded by the Columbia Portage to Okanagan.

With reference to further arrangements connected with the Columbia department generally.

78. That the same be determined by letters to be written by Governor Simpson to the Gentlemen superintending the Columbia and New Caledonia affairs.

The delineations of the unexplored portions of the Arctic Coast, westward of McKenzies River and eastward of Pointe Turnagain, being an object that has for a long time excited the most lively interest in the public mind, and has called forth the energies of many enterprising and scientific men, whose exertions have nevertheless been unsuccessful, it is Resolved

79. That an Expedition be fitted out for that purpose by The Honourable Hudsons Bay Company, to consist of Chief Factor Warren Dease and Mr. Thomas Simpson, with a party of 12 men, and that they be provided with such craft, provisions and other supplies as may be required to accomplish that desirable object, agreeably to the plans submitted by these Gentlemen to Council.

80. That the Gentlemen in charge of the Districts and Posts of Athabasca and McKenzies River comply with any demands whatsoever, connected with their respective charges, that may be made upon them by Chief Factor Dease or, in his absence, by Mr. Thomas Simpson.

Mr. Chief Trader Heron's intemperate habits having of late become so notorious as to be the subject of general remark among all classes throughout the country, it is Resolved

81. That a circular be addressed to the different Gentlemen in charge of Districts to state in writing what may have come to their knowledge in regard to his habits in that respect, and to produce evidence with a view to substantiate such statements, and that Mr. Heron be provided with a copy of this Minute in order to prepare himself to meet such charges as may be preferred against him before the Council of the Northern Department, at its sitting next year.

82. That the usual allowance of £100 with the usual allowance of tea, sugar, &c., be made to the Catholic Mission of Red River for the Current Outfit.

83. That an allowance of £100 be made to Dr. Bunn for medical attendance on the Honourable Company's Establishments at Red River; the retired servants who cannot afford to pay for such and all other pauper settlers for the Current Outfit.

84. That an allowance be made to the Revd. Mr. Jones of £100 in aid of the Boarding Schools under his direction for the Current Outfit.

85. That the Engagements of the undermentioned Clerks and Postmasters be renewed for a term of three years from the date and salaries affixed to their names respectively, Viz.

Clerks.

William G. Rae	from	1st	June	1835	at	£100	p. annum.
Alex C. Anderson	"	"		1836	"	75	" "
Henry Fisher	"	"		"	"	100	" "
William Kittson	"	"		"	"	100	" "
George McDougall	"	"		"	"	100	" "
John McKintosh	"	"		"	"	75	" "
Thomas McKay	"	"		"	"	100	" "
John McKay	"	"		"	"	60	" "
John Ballenden Clk	"	"		1837	"	100	" "
John Bell "	"	"		"	"	100	" "
John J. Bird "	"	"		"	"	100	" "
George Deschambeault	"	"		"	"	100	" "
Fras. Ermatinger	"	"		"	"	100	" "
Paul Fraser	"	"		"	"	100	" "
Donald McKenzie	"	"		"	"	100	" "
Archd. McKinlay	"	"		"	"	75	" "
Donald Manson	"	"		"	"	100	" "
P. C. Pambrun	"	"		"	"	100	" "
Thomas Simpson	"	"		"	"	100	" "
William Sinclair	"	"		"	"	100	" "
George Taylor	"	"		"	"	100	" "
Adam McBeath, P.M.	"	"		"	"	35	" "
George Settler, "	"	"		"	"	60	" "
Thomas Taylor, "	"	"		"	"	50	" "
James McKenzie, Agent Quebec				"	"	250	" "

86. That the amount of requisition from England for shipment 1837 Outfit 1838 do not exceed the sum of Twenty Five Thousand Pounds Sterling.

87. That 20 Orkney servants be indentured for the Northern Department, on engagements of five years as follows, viz.:

10 young labouring servants	at not exceeding	£16	p. annum.
5 men accustomed to boating, fishing & slooping		20	"
2 experienced boatbuilders	at not exceeding	25	"
1 Cooper	" "	25	"
2 Blacksmiths	" "	25	"

88. That 20 Canadian Servants be indentured for the Northern Department, on engagements of not less than 3 years as follows:

18 young Servants at £17 Wages.
2 Blacksmiths " 25 "

89. That no Servants be permitted to settle at Red River Colony unless they become purchasers from the proprietors of the soil of at least 50 acres of land at 7/6 p. acre; payment thereof to be deposited with the gentleman in charge of the Depot to which they have been attached previous to their departure for the Settlement.

90. That all inland boats be at least 28 feet keel with proportionable beam, so as to stow 80 pieces assorted cargo, and if of less dimensions no credit to be allowed for them in transfers.

91. That no common cub bear skin be traded, as in the English market they hardly fetch the duties, and that the Indians be instructed not to scrape the swan skins so much as they have been in the habit of doing, which deteriorates their value about 25 p. cent.

92. That the *Esquimaux* brig which is to be sent back from York Factory to Ungava with the Outfit and for the returns of that District, be filled up with deals, bark and about 50 pieces of flour, grease, pemican or such other provisions as can be spared, and any old ironworks or other unsaleable goods at York Factory, which are likely to find a market among the Esquimaux, with 4 active servants, under engagements of not less than 3 years, to fill up vacancies.

With reference to the 7th paragraph of the Governor and Committee's Dispatch of 9th March last in regard to Mr. Simon McGillivray's request for re-admission into the service in the capacity of a clerk at a salary of £150 p. annum, with an understanding that favourable consideration will be given to any recommendation that may be made by the Councils of the Northern and Southern Departments to appoint him to the first vacancy that may occur in the class of Chief Traders.

93. That the gentleman's case as above stated be recommended to the favourable consideration of the Governor & Committee accordingly.

With reference to the 24th Resolution of the Standing Rules and Regulations; the following list of Servants whose wages for Outfit 1834 exceeded the standard scale and were

accordingly debited to the private accounts of the Gentlemen authorizing them, viz.:

Debited Mr. C. F. Cameron—

John Cromartie engaged at £30 as house carpenter, his former wages being only £25	£ 5
Frs. X. Richard, Gratuity for extra services	3
	£ 8

Debited Mr. C. F. McKenzie

Joseph Roy Gratuity in addition to former wages of £30	£ 5

Debited Mr. C. F. Rowand

Philip Brien dit Derocher, Gratuity for extra services	£ 1
Hugh Fraser do	1
Edouard Gilbault do	2
Richard Layland do	3
Wm. McMillan do	2
Augustin Racette, Extra Wages p. Engagement	3
Augustin Valle do	5
	£17

Debited Mr. C. T. Donald Ross

Thos. Harper, Gratuity as Steersman	£ 2
Joseph Laverdure, Gratuity as Fisherman	£ 2
John Spence do do	£ 2
Edward Moody do do	£ 2
	£ 8

Debited Mr. C. F. Charles

Francois McRedi, extra wages as Fisherman	£ 3

Debited Mr. C. F. Smith

Antoine Cataphaeir, Gratuity	£ 3
Emanuel Cournoyer (6) do	£ 2
	£5

Debited Mr. C. F. Stuart

Charles Forrest, extra wages as Postmaster	£10
John Norquay, do as Fisherman	£ 1
	£11

The foregoing having been duly considered, it is Resolved

94. That Chief Factor J. D. Cameron's private account be charged with £5 for Outfit 1834 paid to John Cromartie;

such extra wages being considered unnecessary. That Chief Factor John Rowand's private account be charged with £5 paid to Augustin Valle, such extra wages being given without consulting the Governor in Council, contrary to the Standing Rules and Regulations; but that the said Augustin Valle be re-engaged from 1st June 1835 at £30 p. annum wages. That Chief Factor John Stuart's private Account be charged with £10 for Outfit 1834 paid to Charles Forrest; such extra wages having been given without the authority of the Governor and Council and contrary to the Regulations of the Service.

That the different other charges noticed in that list as being charged to private account for Outfit 1834 be written back and credited to the parties satisfactory reasons having been given for such deviations from the established Regulations.

Chief Factor Stuart having without any authority from the Council, and without any necessity for so doing, engaged Charles Forrest a laborer in capacity of Postmaster for a term of 3 years at a salary of £40 p. an., it is Resolved

95. That the said Charles Forrest be credited with the amount of his wages p. Engagement for Outfits 1835/36 & 1836/37; and that the same be debited to the private account of Chief Factor Stuart, giving him credit for the value of any service he (Forrest) may render during Outfit 1836/37 while attached to Lac la Pluie District.

With reference to the 20th Resolution of the Standing Rules and Regulations, it is Resolved

96. That the Wages of Fishermen employed at such Posts as are dependent entirely or principally on Fish be £19 instead of £17 p. annum; but that no more than one person at each Post so maintained shall be allowed such extra pay and that Blacksmiths at inland Posts be allowed £25 p. annum instead of the wages of the Steersmen of the District.

With reference to the 23rd Resolution of the Standing Rules and Regulations, it is Resolved

97. That the wages of a Servant acting in the capacity of Cook or Gentleman's waiting man shall in no case be allowed to exceed £17 p. annum or the usual wages of a Middleman of the District in which he serves, and that the additional Gratuity heretofore given to persons acting in that capacity shall in future be allowed only to servants who, on the Summer Voy-

age to and from the Wintering grounds, act in the capacity of Cook or waiting man independent of his duty as one of the regular crew of the Craft in which he may be employed; except the Cooks or waiting men employed at the Depot of York Factory, Vancouver, Moose and Norway House and at Fort Garry, Red River Settlement.

With further reference to the 24th Resolution of the Standing Rules and Regulations, it is Resolved

98. That the accountant of the different Depts. instead of debiting the private account of Gentlemen, deviating from the instructions contained in the Resolutions on the subject of Servants' Wages, Gratuities &c., with extra Wages or Gratuities, be instructed to forward to the Governor & Council annually a list of such extra wages or Gratuities, to be considered and determined on by the Council previous to being charged to private Account.

99. That a Winter Express from the Dept. and the interior be appointed to meet at Carlton; the one to proceed northward via Isle a la Crosse and Athabasca and the other southward via Fort Pelly and Norway House; and that all private Letters conveyed by the Ship be forwarded from the Depot to Norway House or Cumberland before the closing of the navigation.

100. That the Gentleman in charge of Lake Superior Department be instructed to forward a Packet from the Sault St. Marys to Red River on the 1st of February with all Letters and Papers that may be collected at the Sault or elsewhere within his charge previous to that date and that no other Express be forwarded unless rendered necessary by very important circumstances.

That a Packet to England from Red River be sent on the 1st November via St. Peters and that a Duplicate Dispatch together with any subsequent information that may occur be forwarded by Lac la Pluie on the 1st December.

101. That this arrangement be understood as not interfering with the usual Winter communications by the Coast which should be alternately from the Depots of Moose and York on the 1st December.

102. That the annexed revised Standing Rules and Regulations be considered in force and acted upon accordingly until rescinded.

103. That this Council do now adjourn.

(Signed) GEORGE SIMPSON, Governor
JOHN CHARLES Chief Factor
JOHN ROWAND do
PETER W. DEASE do
ALLAN McDONELL do
DONALD ROSS Chief Trader
WILLIAM TODD do
RICHARD GRANT do

Norway House 24th June, 1836.

Standing Rules and Regulations. XIII.

Resolved. That the following be the Tariff for advances throughout the Northern and Southern Departments.

1. Commissioned Gentlemen. The Depot Inventory Tariff for all Goods supplied them during the Summer, and 25 p. Cent thereon for all subsequent advances without distinction whether taken at the Depot or inland—except Wines and Spirits to be 100 p. Cent on the Depot Inventory Tariff, but leather and all other country produce to be at the Depot Inventory Tariff or actual cost throughout the year.

2. Clerks and Servants. Tariff 50 p. Cent on the Prime Cost of all imported Goods and 12½ p. Cent on the Depot cost of all country made articles supplied during the Summer at the Depot—except Wines and Spirits, to be continued at fixed prices viz, Madeira Wine 20/-, Port and all other wines 16/-, Shrub, Gin and Brandy 16/-, Spirits reduced to Proof Strength 12/- p. Gallon; and all subsequent advances without distinction of articles, whether taken at the Depot or Island to be charged 50 per Cent on the York or Moose Inventory Tariff, with the exception of Wine & Spirits to be sold at 50 p. Cent on the Depot Summer Sale Tariff to Servants; and all country produce consisting of dressed and parchment Leather, Buffalo Robes, Provisions &c. &c. will be sold throughout the year at 50 p. Cent on Depot Inventory Prices; It is however understood that in consideration of the peculiar living and mode of journeying at the Bay side Settlement, Wine and Spirits will be allowed to continue at the Depot Summer Sale Tariff throughout the year.

3. That it is however understood that the foregoing Tariffs are intended for the ordinary saleable articles; as to those

classed unsaleable or considered as such, it is left discretionary with those superintendents of Districts or Posts to dispose of at a price corresponding with their estimated value.

4. That all Commissioned Gentlemen, Clerks and Servants be charged 10 pr. Cent on the last average nett sales, for any Furs supplied from the Stores during the Current Outfit for personal or family use in the Country, and 20 p. Cent if supplied for any other purpose.

5. That all Freemen, Halfbreed and Iroquois Trappers, having no other means of paying for their supplies than with their Hunts, be treated on the footing of Indians, unless when specially provided for by Council and that Freemen Trappers having funds in the Company's hand, and unable to pay for their supplies with Furs, be charged 200 p. Cent on the District Inventory prices, and that no money in payment of Furs or other articles be allowed either class without directions from Council but the Furs of those owing balances in money to the Company will be taken in payment thereof at the rate of 4/6 Sterling p. each Made Beaver.

6. That all Furs killed by, or in possession of the Company's Officers and Servants be considered the Company's property and paid for in Goods at the Indian Standard of the place, except to those on special agreements, Fort Hunters &c.

7. That no Commissioned Gentleman be allowed to purchase or dispose of Horses, Cattle or Dogs on private Account, but that all such dealings be for and on account of the Company, each Commissioned Gentleman to be permitted however to keep a Saddle Horse or a train of Dogs for his own use when considered necessary on paying the surplus cost thereof over and above the established Indian or Inventory prices of the District and that Clerks and Servants be permitted to purchase such Horses as may be absolutely necessary to enable them to do their duty from the Company only at Inventory prices it being understood in the event of removal or Retirement of the Individuals that the Company will assume such Horses at the Cost Price.

8. That all Country produce &c., subject to valuation or Inventory or in transfers be priced as follows:—Viz

Birch Bark p. Bottom (canoes)	Fath.	1/6
Side (canoes)	"	9d
Barley, rough	bus.	3/
hulled	"	4/

Boats no less than 24 ft. Keel	ea.	300/
Canoes, large North	"	100/
small Fishing	"	20/
Corn, Indian, rough	Bus.	3/
hulled	"	4/
Fat or Grease Lb		3d
Flour, Cwt.		
Geese, fresh or salted	ea.	4d
Gum or pitch	lb.	2d
Meat, pounded	lb.	3d
dried or piece	"	2d
fresh	"	1d
Salted	"	2d
Oil, Sturgeon	Gall.	2/
Pemican, fine or common	lb.	3d
p. Bag of 90 lbs.	ea.	22/6
Rice, Indian	Bus.	4/
Robes, Buffalo, prime	ea.	5/
Common	"	2/6
Salt (from Swan River)	Bus.	8/
Shagganapie p. Pack cords	lb.	2d
Snow Shoes		4d
Shoes, Indian, pair		6d
Sinews	lb.	2d
Skins, dressed Buffalo	ea.	2/6
red deer large	"	3/
small	"	1/6
reindeer large	"	2/
small	"	1/
Parchment Moose large	"	4/
small	"	1/
Do. Red Deer large	"	2/
small	"	1/
Reindeer prime	"	1/
Sugar, Maple	lb.	4d
Tents, Mooseskins, not used on voyage		
but brought out in bales	ea.	25/
Tongues, Buffalo	ea.	9d
Red Deer or Moose	"	9d
Reindeer prime	"	6d
Wheat	Bus.	4/
Dogs when transferred	ea.	10
Horses "	"	40/

Horned cattle full grown male or female when transferred		"	60/
Calves or Pigs, whether male or female when transferred		"	20/
Sheep, ewes when transferred		"	40/
lambs	do	"	10/
rams	do	"	40/

9. That Buffalo Robes dressed, and parchment Leather brought out to Norway House and the Depot or transferred to other Districts be charged at Inventory prices; and that the articles when sold to Settlers at Red River be charged at 100 p. Cent on Inventory prices, to cover the risk and freight of their transport thither, and that no provisions excepting at the Depot or required for transfers be valued at Inventory.

10. That all imported Goods returned to the Depot be considered on the account and risk of the District transferring the same.

Serious inconvenience having been experienced of late years from the circumstances of Gentlemen in charge of Brigades leaving the Factory with Craft not fully laden thereby occasioning a loss of Freight, it is Resolved.

11. That lading of boats belonging to all Districts in the Northern Department leaving the Depot be 70 pieces goods of full weight or measurement; exclusive of the usual allowance for passengers, viz—10 pieces for each Commissioned Gentleman, 5 pieces for first class Clerks, 3 pieces for junior Clerks, and Postmasters. That one-half of the above allowances be made to cover the freight or private orders for the same classes remaining inland and that each servant remaining inland, be allowed the freight of 1½ pieces to cover his private order which shall be considered cargo but that the private luggage of the crew be over and above the cargo; and that in all cases where a loss of freight is occasioned by neglect of this resolve, the same be chargeable to the private account of the Commissioned Gentleman conducting the Brigade.

And with reference to the foregoing Resolutions in order to regulate the charges for freight of private property conveyed inland exceeding the fixed allowance, it is Resolved

12. That the same be charged to private account of the parties as follows viz.

From York Factory to	McKenzies River Dist.	50/	p. piece
" "	Athabasca "	40/	"
" "	Saskatchewan, Eng. River, Lac la Pluie, Up. R. River & Swan River	30/	"
" "	Red River Sett't & the Winipeg Posts	18/	"
" "	Norway House	14/	"
" "	Oxford Ho. & Nelson Riv.	10/	"
" "	Churchill & Severn	2/	"
From Norway House to	McKenzies Riv. Dist't.	36/	"
" "	Athabasca	26/	"
" "	Saskn, Engh. River Lac la Pluie, Upper R. River & Swan River	16	"
" "	Red River Settlement & the Winipeg Posts	4	"
	Oxford and Nelson Riv.	2/	"
	York Factory	5/	"

Southern Department.

From Moose Factory to	New Brunswick	10/	"
	Lake Superior Dist't	17/	"
	Lake Huron "	20/	"
	Old Albany Factory	3/	"
	Ruperts River & East Main	3/	"
	Albany Island	20/	"
	Ruperts River & East Main	3/	"
	Abbetibe	15/	"
	Temiscamingue & Grand Lac	20/	"
	Kenogamissie District	15/	"

13. That the freight be allowed to Districts for the transport of pieces be as follows viz.:

From York Factory to	Red River	18/	"
" "	Norway House	14/	"
" "	Oxford Ho.	10/	"
Oxford House to	Norway House	4/	"
Norway House to	Red River	4/	"
Red River to	Norway Ho.	1/	"
Norway House to	Oxford House	2/	"
Oxford House to	Y. Factory	3/	"

14. That all Chief Factors and Chief Traders for whom no special mode of conveyance is provided accompany their loaded craft to and from the Depoe and, the better to prevent loss of freight, that those in charge of loaded craft from the Depot, previous to their departure, give in to the person appointed for that purpose correct Bills of Lading thereof, which must be conformable to the provisions of the 11th Resolve.

The better to insure co-operation and efficiency between those superintending and those co-operating in Districts to which two or more Commissioned Gentlemen are appointed, it is Resolved.

15. That the person appointed as superintendent thereof by Council be authorized to assume the direction of affairs and to issue orders and instructions for the good government and successful management of the Posts and trade thereof as to him from time to time appear expedient to which every attention and conformity are required from those to whom such orders and instructions are addressed or have reference.

Serious inconvenience to the Service having in many instances arisen of late from the circumstances of Clerks in distaant parts of the country applying to the Governor and Council for permission to visit the Depot or withdraw from the District without having previously consulted the Commissioned Gentleman superintending the District and to guard against a recurrence of such inconvenience, it is Resolved

16. That no such permission be granted in future unless the applicant first submit his request in writing to the Gentleman superintending the District to which he belongs; who is hereby directed to report on the same for the information of the Governor and Council, and that any Clerk coming to the Depot without such permission be considered as retiring from the Service.

In order to guard against irregularities and expenses arising from little favoritisms and partialities which occasionally discover themselves, it is Resolved

17. That all appointments to the offices of Postmaster, Interpreters, Apprentice Tradesmen, or Sailors in the Service be made by the Governor and Council, by whom also the wages of the parties are to be regulated, and that no individual be permitted to make such appointments or to increase, reduce or determine such wages, and that the wages of Postmasters shall not hereafter exceed £50 per annum except in cases where parties are at present in the enjoyment of higher wages.

18. That no Guide or Interpreter, whether at the Factory Depot or Inland, be permitted to mess with Commissioned Gentlemen or Clerks in charge of Posts; but while at the Depot they will be allowed per week 4 days ordinary rations as issued to Engagees, besides 2 loaves of bread, 3 lb. pork, ¼ lb. tea, 2 lbs. sugar and 1 pint rum; and have an allowance delivered to them on departure for the voyage inland of 1 lb. tea, 6 lb. sugar, 10 lb. biscuit and 10 lb. beef or pork, besides an extra allowance for the wintering grounds of 25 lb. flour, 20 lbs. sugar and 10 lb. grease, in addition to the ordinary rations of Engagees at the place where they winter.

In looking over the list of servants in each District it is much to be regretted that the number and classification determined on by the Resolutions of Council are not generally adhered to which is productive of irregularity and unnecessary expense, it is therefore Resolved

19. That no Gentleman be permitted in future to deviate from the number and classification of people determined on in Council to be employed in the business of the District.

As it appears by the accounts from several Districts that the established scale of wages is not duly observed, it is Resolved

20. That in order to prevent all misapprehension on that subject in future the existing scale of wages be attended to as follows viz.

For all Districts in the H. B. Territories—

Steersmen	£22
Bowsmen	20
Middlemen	17

For Athabasca and McKenzie River—

Steersmen	£24
Bowsmen	22
Middlemen	19

For the Columbia—

Boutes[1]	£22
Middlemen	17

For New Caledonia, Millbank, Nass & Stikine—

Boutes	£24
Middlemen	19

together with an augmentation of £3 to those who may be em-

[1] This term is applied to the steersmen and bowsmen of canoes.

ployed on the voyage from the West side the Mountains to York Factory and back again, Guides never to exceed £5 in addition to the wages of Steersmen of the District and not to be exempted from the ordinary duties of a Steersman, nor allowed an extra man in their Boats with the exception of the Athabasca Guide and the Guides of the hired transport Brigades; no more Bowsmen or Steersmen to be employed in any District than absolutely required for the management of the Craft belonging thereto.

Boat builders not to exceed £30 p. annum Wages
Interpreters " " 25 " "

Wages of Mechanics at the Depot to be regulated and varied according to circumstances; and those of Blacksmiths inland not to exceed the Wages of Steersmen of the District.

In order to guard against misapprehension and to check irregularities in regard to Servants, it is Resolved

21. That all Servants engaged in England, Canada, or in the Country be considered for the term of their first Contracts as being disposable for general service at the Wages stated in their Engagements, unless "Prix du Poste" be distinctly specified, in which case, the wages of the District to which the party is attached to be allowed; but in all cases where the Engagements are renewed in the Country, the wages of the District for which the Servant is engaged to be allowed accordingly.

The items of Gratuities and Extra Service money having increased to such a degree as to render it necessary to check them, it is therefore Resolved

22. That no gratuity or extra Service money be allowed to any Servant or person whatsoever except the usual gratuities to Indians in consideration of Goods &c. &c. unless such gratuities or extra service monies be authorized by a former Resolve in Council.

To prevent misapprehension and abuse, it is Resolved

23. That all Commissioned Gentlemen, having distinct charges, be permitted to employ on the Voyage or inland one of the people appointed to the District in the capacity of Cook or Servant in addition to his ordinary duties, and that for such extra service he be allowed the sum of £3 in addition to his regular wages, to be put to the credit of his Account at the end of the year, provided the Contract wages of such servant do not exceed those of a common Laborer of the District.

And in order to insure due respect and attention to the foregoing Resolutions, it is Resolved

24. That parties deviating from the instructions contained in the Resolution on the subject of Servants, Wages, gratuities, &c. &c. be held liable for the amount of expenses incurred by such irregularities, which the Accountants of the several Depots are hereby authorized to charge to their Accounts immediately, from whence it cannot be withdrawn, nor can the charge be remitted without special authority from the Governor and Council first duly asked and obtained.

25. That in renewing all Contracts it be distinctly specified that the person hired be at the rate of so much per annum; Wages and duty to commence and be computed from the 1st June, if hired in the Country, and if hired in Britain or in Canada the same to commence and be computed from the date of his embarkation thence, and in either case both to be continued to his re-embarkation and departure from the Depot, subject however, if under the rank of Clerk, to work his passage, if required, from thence in any of the Company's Craft or Vessels, whether light or laden, without any compensation till his arrival in England or in Montreal, where his engagement will cease also that a clause be inserted therein requiring the person hired to give a year's notice of his intention of retiring at the expiration of his agreement, otherwise he will be retained and considered disposable for the Current at the salary of the preceding year's Outfit.

26. That the originals of all Contracts with Clerks and Servants, together with notices of retirement be deposited with the Accountant at the Depot for the purpose of being registered.

27. That no indented Servant be permitted to have advances in the course of the year exceeding three fourths of this Current wages viz.: about half at the Depot and one-fourth inland.

28. That no Servant be sent from one District to another without being accompanied with a satisfactory statement of his account; and that no advances except bare essentials be made such Servant while absent from his District without a special Order; and that no servant be transferred from one District to another except at the Depot, and with the knowledge of the principal Accountant.

29. That no transfers of money from one account to another be allowed in the general accounts, but that such be permitted in the Sale Shops.

Much irregularity and in many cases considerable loss having arisen from the circumstances of the Account of retiring Servants not being transmitted to the Depot in the year of their retirement, it is Resolved

30. That all Gentlemen in charge of Districts be directed to deliver or forward every Summer to the Gentleman in charge of the Depot, complete lists of all Servants, Freemen or their families retiring from their respective Districts whether to England, Canada or Red River Settlement together with complete statements of the Inland accounts of these people, in order that the accountant may transmit correct and final pay lists with them to their several destinations. That no Servants be allowed to retire without going to the Depot, except under particular circumstances; and the Gentlemen in charge of Districts be liable for any loss arising from neglect of this Resolution.

31. That persons retiring from the Service, likewise "Goers and Comers" be permitted to take with them not exceeding 20 pairs Indian Shoes, or 2 Skins dressed Leather, that the baggage of Craft going to Canada be examined at Norway House and Michipicoten, and the baggage of all persons going to Europe be examined at the Depot on the Coast, and in the event of any articles of Fur, which have not been regularly purchased and paid for agreeably to the 4th Resolve, or in the event of any Shoes or Leather being found among such Baggage exceeding the quantities allowed, the same to be forfeited.

To prevent misapprehension on the part of Clerks or Servants in regard to pecuniary matters, it is Resolved

32. That those having funds or Balances due to them by the Fur trade, and who may be desirous of making payments in England or Canada be directed to authorize the Governor officially, in writing, to take the necessary steps for that purpose as no other mode of application will be attended to.

33. That all supplies and advances furnished by one District or Post for account of Officers, Servants and others attached to another District or Post be charged at the established sale prices detailed among the other Book Debts of the place, and the amount thereof entered in the statement of advances and Book Debts of the District supplying the same, and by which District alone they are to be charged and taken notice of.

34. That in Districts to which only one Commissioned Gentleman is appointed he be directed to furnish annually com-

plete accounts of the business thereof to the Accountant at the Depot; and in Districts to which two or more Commissioned Gentlemen are appointed that each be directed to furnish accounts of the business under their respective managements, the same to be annually transmitted to the person superintending such District and through him to the Accountant at the Depot; likewise a Journal of occurrences with correct copies of all official correspondence and a report conveying every requisite information in regard to the state and mode of conducting the Trade and exhibiting a comparative statement of the closing and immediately preceding Outfits, together with such suggestions in regard to the improvement of the Trade as may occur; such report also to contain an abstract of the Indian population, exhibiting the number of men, women and children of both sexes; and that all Clerks in charge of Posts be directed to furnish similar accounts and statements.

With a view to save Interest on Inventories.

35. That they be hereafter classed, commencing with those of June 1835, under three principal and distinct heads and prices as follows, viz.:

1st Trading Goods to comprise all those not damaged intended for Trade or Sale to Servants to be priced at the established schedule of advances of the District.

2nd Damaged and unsaleable to comprise all of that description, to be priced as heretofore at a fixed value.

3rd Country produce to comprise Leather and such other produce, as the Minutes of Council authorize being valued, to be at fixed prices.

No stores or unproductive property of any description whether new or in use such as utensils (Fort Culinary), allowances, Stationery, Medicines to be valued; of all which property every Commissioned Gentleman is directed to take on from the Depot merely what is required for the use of the District.

36. That Gentlemen in charge of Districts and Posts be directed to furnish annually with the Inventories a list of the articles in use at each Post, distinguishing them according to their condition as Good, Half worn, Much worn, also a list of Cattle or other live stock and the number of Acres in cultivation, and quantity of seed sown for the next crop with quantity reaped the preceding Summer. The Cattle should be distinguished as Bulls, Cows, of the several ages,

Calves one year old, 2 years old, 3 years old and upwards without any valuation affixed.

37. That regular and correct accounts of all supplies furnished along the communication or of property transferred from one Post or District to another be delivered or forwarded accompanying such supplies or transfers of property, otherwise no charge thereof can afterwards be brought by the District furnishing against the District receiving the same.

38. That a list of the Indian and Half breed and Freemen Trappers considered as appertaining to each District be made out and settled on annually by the Gentlemen in charge of neighboring Districts; and that no hunts be received at any post, excepting for account or on behalf of the place at which such hunters may have been originally supplied on credit; and in all doubtful cases, that such matters be determined and settled on by the parties concerned on a fair & liberal principle.

39. That the Indians be treated with kindness and indulgence, and mild and conciliatory means resorted to in order to encourage industry, repress vice and inculcate morality; that the use of spirituous Liquors be gradually discontinued in the few Districts in which it is yet indispensable; and that the Indians be liberally supplied with requisite necessaries, particularly with articles of ammunition, whether they have the means of paying for it or not; and that no Gentlemen in charge of Districts or Posts be at liberty to alter or vary the Standard or usual mode of trade with the Indians except by special permission of Council.

In order gradually to wean the Indians all over the Country from the use of spirituous Liquors to which they are so much addicted, it is Resolved

40. That none of that article either for Trade Sales or gratuitous indulgence to Servants or for allowances to Officers be imported into English River, Athabasca or McKenzies River Districts; and that such deficiency on the Outfit be made up by a proportionate increase in the supplies of ammunition and Tobacco.

The subject of nursing the Country with a view to the preservation of Beaver not being sufficiently understood, it is Resolved

41. That all Gentlemen in charge of Districts and Posts, except such as are exposed to opposition, exert their utmost influence in discouraging the hunting of Cub Beaver and of Beaver out of season; and that no Beaver traps or Springs be

issued from the Depot of York, except for sale to the Piegan Indians or those hunting foxes on the Coast; and from the Depot of Moose only for Lake Huron District, the Posts along Lake Superior and to the Indians who hunt foxes on the Bay side, and that in any case where an unusual proportion of Cub or unseasoned Beaver appears, the same to be particularly represented by the Gentlemen superintending the Fur Stores to the Governor & Council for the information of the Honble Committee.

42. That all Officers & Servants of the Company having women or children, and wishing to leave the same in the Country on their retirement therefrom, be required to make such provision for their future maintenance, more particularly for that of the Children as circumstances may reasonably warrant and the means of the Individual permit; that all those desirous of withdrawing the same from the Country be allowed every facility for that purpose; and that none hereafter be allowed to take a woman without binding himself down to such reasonable provision and maintenance of her & Children in the event of issue, as on a fair and equitable principle may be considered necessary, not only during his residence in the Country but after his departure therefrom.

Regulations for Promoting Moral and Religious Improvement.[1]

Resolved 1. That for the moral and religious improvement of the Servants, and more effectual civilization and instruction of the families attached to the different Establishments, and of the Indians, that every Sunday divine service be publicly read with becoming solemnity once or twice a day, to be regulated by the number of people and other circumstances, at which every man, woman and child resident will be required to attend together, with any of the Indians who may be at hand and whom it may be proper to invite.

2. That in course of the week due attention be bestowed to furnish the women and children such regular and useful occupation as is suited to their age and capacities and best calculated to suppress vicious and promote virtuous habits.

[1] Additions to the above regulations were made by Resolutions 96 of 1899, that "Resolves 88, 91, 92, 95, 98, 99, 100 and 101 of June, 1837, be considered as forming part of the Standing Rules and Regulaions and added thereto."

3. As a preparative to education, that the mother and children be always addressed and habituated to converse in the vernacular dialect (whether English or French) of the Father, and that he be encouraged to devote part of his leisure hours to teach the children their A. B. C. and Catechism together with such further elementary instruction as time and circumstances may permit.

That Chief Factors, Chief Traders and Clerks in charge of Districts or Posts be directed to take the proper measures for carrying these Regulations into effect among the Company's Servants families and Indians attached to their respective charges.

With reference to the 20th Resolution of the foregoing Rulesand Regulations, it is Resolved

1. That the wages of fishermen employed at such Posts as are entirely or principally dependent on fish be £19 instead of £17 p. annum wages; but that no more than one person at each Post so maintained will be allowed such extra pay and that the Blacksmiths employed at inland Posts be allowed £25 p. annum instead of the wages of the steersman of the District.

With reference to the 23rd Resolution of the foregoing and Regulations, it is Resolved

2. That the wages of servants acting in the capacity of cook or gentleman's waiting man shall in no case be allowed to exceed £17 p. annum, and that the additional gratuity heretofore given to persons acting in that capacity shall in future be allowed only to such servants as on the summer voyage to and from the wintering grounds act in the capacity of cook or waiting man independent of his duty as one of the regular crew of the craft in which he may be employed except the cooks employed at the Depots of York, Vancouver, Moose, Norway House & Ft. Garry Red River Settlement,

With reference to the 24th Article of the foregoing Rules and Regulations It is Resolved

3. That the accountants at the different Depots instead of debiting the private accounts of the Gentlemen deviating from the instructions contained in the Resolutions on the subject of servants, wages, gratuities &c. with extra wages or gratuities be instructed to forward to the Governor and Council annually a list of such extra wages or gratuities to be considered and

determined on by Council previous to being charged to private account,

(Signed) George Simpson Governor
John Charles C.F.
John Rowand "
Peter W. Dease "
Allan McDonell "
Donald Ross C.T.
William Todd "
Richard Grant "

Norway House, 23rd June 1836.

Minutes of Council, 1837

Minutes of Council held at Norway House, Northern Department of Rupert's Land, which commenced on the 27th day of June, One Thousand Eight Hundred and Thirty-seven, for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said department; and in order to investigate the trade of last year conformably to the Provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudsons Bay bearing date the 6th day of June One Thousand Eight hundred and Thirty-four, at which were present the following members:—

George Simpson, Governor in Chief.
John Charles, Chief Factor.
John Rowand do
Allan McDonell do
John Lee Lewes do
Roderick McKenzie do
Duncan Finlayson do
Donald Ross, Chief Trader.

Resolved 1. That the other Chief Traders be invited to attend and in consequence the following were present, William Todd and James Hargrave.

2. That the rotations of Furlough for the Current year 1837 are in favour of Chief Factors Allan McDonell, P. W. Dease and John Lee Lewes.

3. That Chief Factors Allan McDonell, P. W. Dease and John Lee Lewes having been permitted to enjoy the benefit of

their rotations in anticipation, they are no longer at liberty to avail themselves thereof; that of Allan McDonell is therefore afforded to Edward Smith; that of P. W. Dease to Duncan Finlayson and that of John Lee Lewes to James McMillan.

4. That the rotations of Furlough for the current year 1837 are in favour of Chief Traders John Work and William Todd who do not avail themselves thereof; they are therefore transferred to James Hargrave and Nicol Finlayson.

5. That an extension of Furlough or leave of absence be afforded to Chief Factor John Stuart, and to Chief Traders Hugh Faries, Cuthbert Cummings, Francis Heron and John Tod until 25th April, 1838, when they are hereby directed to present themselves at Lachine for the purpose of proceeding to such Wintering Grounds as they may hereafter be appointed to, either by the Governor and Committee or by the Governor and Council in the absence of further instructions from either the Council of the Northern and Southern Departments on this subject.

In order to guard against any misapprehension with regard to the Furloughs for the three ensuing years, it is Resolved

6. That they be considered as in favour of Chief Factors Roderick McKenzie, Duncan Finlayson and Peter S. Ogden with Chief Traders James Hargrave and Nicol Finlayson for 1838-39; in favour of Chief Factors Alexr. R. McLeod, Colin Robertson and John George McTavish with Chief Traders Richard Hardisty and John Tod for 1839-40, and in favour of Chief Factors George Keith, J. D. Cameron and John Charles with Chief Traders John McLeod, Junr. and Murdoch McPherson for 1840-41, but that as Chief Factors Duncan Finlayson in 1837-38, Colin Robertson in 1832-33, 1833-34, 1834-35, 1835-36 and 1836-37 and J. D. Cameron in 1835-36, likewise Chief Traders James Hargrave, Nicol Finlayson and John Tod in 1837-38 have been absent from the service either on exchange of furlough or on account of ill-health, they be not allowed to take advantage of the rotations of Furlough aforestated.

7. That Chief Factor John McLoughlin be instructed to proceed to England via Cape Horn agreeably to the instructions contained in the 4th paragraph of the Governor & Committee's Dispatch of Feby. 1837.

8. That the following appointments take place.

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca	Alexr R. McLeod	Colin Campbell
McKenzies River		Murdh McPherson
English River	Rodk McKenzie	
Saskatchewan	John Rowand	J. E. Harriott
	John Lee Lewes	
Swan River	William Todd	
Red River	Alexr Christie	
Lac la Pluie	Allan McDonell	
Norway House		Donald Ross
York	John Charles	Geo. Gladman
		Richard Grant
		James Douglas
		John Work
		Robert Cowie
		John McLeod, Jnr.
		Samuel Black
		Archd McDonald
New Caledonia	P. S. Ogden	Alexr Fisher
Arctic Expedition	P. W. Dease	

9. That the following arrangements take place—

Athabasca—Dunvegan, A. R. McLeod, C.F.
Fort Chippewyan, Colin Campbell, C.T.
Vermilion, Chas. Roussain, P.Mr.
Great Slave Lake, Francis Butcher, Clk.

10. That 4 Boats, 29 men including the Guide and about 250 pieces Goods constitute the Current Outfit of this District.

11. That Chief Factor Alexr R. McLeod accompany his Brigade to Norway House Summer 1838 for the purpose of attending to the business of the District and that the Commissioned Gentlemen, Clerks and Postmasters attached to the District remain inland and be appointed as Chief Factor McLeod may consider expedient.

The encouragement afforded by Athabasca and McKenzies River Districts for the assembling of Indians in large bodies at Portage la Loche being found exceeding injurious to the interests of English River District, and likely to become dangerous to the passing Brigades, it is Resolved

12. That the Gentlemen in charge of Brigades belonging to those Districts be strictly prohibited from affording such encouragement in future either by payment on public account

or by private payment on the part of the people for assistance in transporting the Outfits or Returns on that Portage.

13. Summer Arrangements—

Athabasca—Dunvegan,	2 men	incg. Interpreter.
Ft. Chippewyan,	3	do
Vermilion,	2	do
Gt. Slave Lake,	2	do

14. That Chief Factor Charles take the necessary measures to prepare and forward about 200 pieces Goods to Norway House for Athabasca Outfit, 1838, by Indians or Red River Carriers.

15. That encouragement be afforded for collecting as much dressed Leather, Sinews, Babiche and Pack Cords as possible; and that what cannot be brought to the Depot be carefully laid past inland, as a large quantity will be required in the course of two or three years for New Caledonia.

16. Winter Arrangements—

McKenzies River—Ft. Simpson, Murdh. McPherson, C.T.
Rivre au Liard, Chas. Brisbois, Clk.
Fort Norman, Adam McBeath, P.M.
Fort Good Hope, John Bell, Clk.
Deases Lake, Robt. Campbell, Clk.
A. R. McLeod, Jnr.

17. That about 250 pieces Goods in 4 Boats navigated by 33 men including the Guide, 27 of whom to be Red River men hired for the trip and 6 men under contract as regular Servants who are intended for the District in order to replace retiring and deceased Servants constitute the Current Outfit.

The extraordinary statement made by Mr. Hutchison respecting the failure of his Mission to the west branch of the Liard River for the purpose of establishing Deases Lake having been attentively perused and considered to be founded on groundless apprehensions, it is Resolved

18. That Chief Trader McPherson take the necessary steps to establish that Post without delay; and that he be instructed to convey to Mr. Robert Campbell the approbation of Council for his spirited offer to conduct that service.

19. Summer Arrangements—

McKenzies River—Ft. Simpson,	Mrdk. McPherson, C.T
Rivre au Liard,	Chas. Brisbois, Clk.
Fort Norman,	Adam McBeath, P.Mr.
Ft. Good Hope,	John Bell, Clk.
Dease's Lake,	Robt. Campbell.
	A. R. McLeod, Jnr. Clk

20. That Chief Trader McPherson accompany the Brigade to Portage la Loche Summer 1838, and that the Clerks and Postmasters attached to the District remain Inland and be appointed as Chief Trader McPherson may consider expedient.

21. That Chief Factor Charles take the necessary measures to prepare and forward in the course of the Summer about 250 ps. Goods to Norway House for Outfit 1838, the same to be transported thence from Portage la Loche in 4 Boats to start on or before the 15th June 1838 manned by a Guide and 28 men, of whom 22 are to be engaged for the trip at Red River, and 6 Servants under engagements of not less than three years to replace retiring Servants.

In order to save the heavy expense incurred by Canadian Servants coming out from this District too late to retire to Canada the same season, it is Resolved

22. That in future European Servants only be sent to McKenzies River who, when they retire will always reach York Factory in time to return to England by the Ship.

23. Winter Arrangements—

English River—Isle a la Crosse,	Rodk McKenzie, C.F.
Rapid River,	G. Deschambeault, Clk.
Green Lake,	Thos. Hodgson, Intr.

24. That 120 pieces Goods in 2 Boats manned by 13 men including the Guide constitute the current Outfit for this District.

25. Summer Arrangements—

English River—Isle a la Crosse,	G. Deschambeault & 2 men.
Rapid River,	1 man.

26. That a quantity of dried provisions equal to 80 Bags Pemican be provided and forthcoming for the use of the outward and inward bound Northern Craft, Spring and Summer 1838.

27. Winter Arrangements—

Saskatchewan—Edmonton,	John Rowand, C.F.
	William Thew, Clk.
Carlton,	Patk. Small, Clk.
Rocky Mountn. Ho.,	J. E. Harriott, C.T.
Ft. Assiniboine,	John Rowand, Jnr., Clk
Jaspers House,	An Interpreter.
Lesser Slave Lake,	George McDougall, Clk
Fort Pitt,	Henry Fisher,
Cumberland,	John Lee Lewes, C.F.
Moose Lake,	An Interpreter.

28. That 550 pieces Goods in 9 Boats manned by 46 Servants belonging to the District constitute the Current Outfit and that the Crews be made up by voyaging Servants belonging to the Columbia and New Caledonia Districts.

29. That 600 Bags Pemican be provided by the Saskatchewan District for the service of next year; 100 Bags of which to be left at Cumberland and the remainder taken to Norway House; and that all the surplus Grease collected in the District be brought to the Depot in a clean and rendered state for exportation.

30. That a Boat and 2 men be left at York for the purpose of conveying 12 of the Servants coming from Europe by the Ship inland; where it is understood they shall pass the Winter, 6 of whom to be brought to the Depot next Summer for general distribution.

31. That the New Caledonia requisition for Leather, &c. be provided at Jaspers House to be taken thither in course of next Summer by 6 of the recruits coming by the Ship and to be forwarded as supernumeraries this ensuing Fall, the rest to remain inland and to be appointed to the Columbia department next Summer. The Leather &c. to be transported from Jaspers House by the Columbia Portage to Okanagan.

32. Summer Arrangements—

Saskatchewan—Edmonton, J. E. Harriott, C.T.
J. Rowand, Jnr., Clk. & 12 men
Carlton, Patk. Small, Clk. & 7 men.
Ft. Assiniboine, An Interpreter & 1 man.
Lesser Slave Lake, Geo. McDougall, Clk.
Fort Pitt, Henry Fisher, Clk. & 4 men.
Jaspers House, An Interpr. & 1 man.
Cumberland, J. Lee Lewes, C.F. & 2 men.

33. That the Commissioned Gentlemen, Clerks & Postmasters attached to the District remain inland and be appointed as the Chief Factor superintending the District may consider expedient, unless the services of one or more Clerks be required to accompany the Brigade to the Depot.

34. That Chief Factor Rowand be instructed to provide 14 new Boats of not less than 28 feet Keel for general distribution at Norway House.

35. Winter Arrangements—

Swan River—Fort Pelly, William Todd, C.T.
Fort Ellice, J. R. McKay, P. Mr.
Manitobah, Fras. Richard, P. Mr.
Shoal River, An Interpreter.

36. That about 200 pieces Goods constitute the Current Outfit for this District with 15 voyaging Servants, 100 pieces of these Goods to be taken up, from the Depot in 2 Boats for the trade of Fort Pelly, Manitobah and Shoal River Posts and the remainder taken up for the trade of Fort Ellice, the crews of these Boats to be made up of 6 men by Trippers and the Cargoes to be 70 pieces p. Boat by Goods on freight to Norway House.

37. That Chief Trader Todd be instructed to take the necessary steps to provide 300 Bushels Salt for the use of Red River Settlement deliverable at the north end of Manitobah Portage from whence it will be removed in course of the season, price not to exceed 8/ p. Bushel; and 50 Bushels to be delivered at Norway House for general distribution.

38. Summer Arrangements—

Swan River—Fort Pelly, 3 men incg. Interpretr.
Fort Ellice, J. R. McKay, P.M. & 7 men.
Manitobah, Frs. Richards, P. Mr.
Shoal River, A Labourer.

39. Winter Arrangements—

Red River—Fort Garry, Alexr. Christie, C.F.
John Ballenden, Clk.
Allan McMillan, Clk.
Lower Fort, Hector McKenzie, Clk.
Pierre LeBlanc, P. Mr.
Warden of the Plains, Cuthbert Grant.
Expermt. Farm, Geo. Cary & 15 men.

40. That the necessary buildings for establishing a Distillery be erected at the Lower Fort.

In order to simplify the accounts of this District which have hitherto been rendered complicated by a variety of Tariffs, it is Resolved

41. That all Goods sold to Officers and Servants likewise such as may be supplied to Districts be charged at the Retail Tariff of the Settlement.

42. That Chief Factor Christie be instructed either to hire Tripmen or to contract with Carriers for the transport of Goods for the use of the Settlement between York Factory and Norway House; and in either case that no Indians be employed under any circumstances or any consideration as a means of discouraging the migration of Indians to the Settlement which has of late years taken place to a dangerous extent.

43. That supplies for the use of the Colony Shop and Indian Trade amounting to about 1600 pieces be provided and forwarded on Freight; and the Establishment of Servants be as follows.

Forks, 3 servants.

Lower Fort, 2 servants.

44. That tradesmen and labourers be employed in erecting and completing the necessary buildings for the new Establishment of Fort Garry.

45. That the following supplies be provided at the Colony for exportation to Norway House Summer 1838 made up in sound and transportable packages at the annexed prices viz.:

10	Cwt. Beef	@ 3d. p. lb.
20	" Biscuit	" 3d. "
50	Firkins Butter	" 7d. "
3	Cwt. Cheese	" 6d. "
1000	" 1st & 2nd Flour (kiln dried)	12/ p. Cwt. incg. packing.
30	Pork Hams	@ 6d. per lb.
10	Cwt. Pork	" 3d. "
15	Assortments Garden Seeds	@ 18/ ea.
100	Portage Straps, 2/.	

46 That a Guide and 22 men be engaged for the McKenzies River District transport and the Fall Freight from York tc Red River at £25 to the Guide £16 to the Steersman £14 to the Bowsman and £12 to the Middleman.

47. That in all cases of payments in Canada for Goods or Cash supplied in Red River, an exchange of 7 p. Cent be added to the Sterling amount before converting it into Halifax Currency.

48. Winter Arrangements—

Lac la Pluie—	Fort Frances,	William Sinclair, Clk.
	Lac du Bois Blanc,	James Isbister, Intr.
	Rat Portage,	Dond. McKenzie, Clk.
	Ft. Alexander,	Allan McDonald, C.F.
		Charles Forrest, P.M.

49. That about 300 pieces Goods with a complement of 12 voyaging Servants constitute the Current Outfit; 140 pieces of these to be taken from York to Norway House in two Boats manned by 12 voyaging Servants, and the remaining 120 pieces to be transported to Norway House on Freight; and from Norway House the whole to be transported in 4 Boats

manned by 3 men each with the assistance of Indians. The usual quantity of Country produce to be supplied from Red River.

50. That the sum of Three hundred pounds Sterling be paid by draft on the Governor & Committee to William A. Aitken Esqre. of the American Fur Company in consideration of the opposition having been withdrawn during the past Outfit from the frontiers of Lake Superior, Lac la Pluie, Winipeg and Red River Districts conformably to the terms of an arrangement entered into between Governor Simpson and Mr. Aitken as p. correspondence dated 31st March 1833, the said amount to be charged to Lac la Pluie District Outfit 1836.

51. Summer Arrangements—

Lac la Pluie—Fort Frances, Wm. Sinclair & 3 men incl. Intr.
Ft. Alexander, A Clk, or P.M. & 2 men.
Rat Portage do do do

52. Winter Arrangements—

Norway House—Norway House, Dond. Ross, C.T., & 5 men & an Appce. Clk. from England.
Berens River, Robt. Cummings, P.M., & 2 men.
Nelson River, John Isbister, P.M., & 3 men.

53. That 2 voyaging Servants belonging to the District assisted by 22 Indians to be engaged for that purpose be employed in making one trip between York and Norway House with 3 Boats carrying 80 pieces each p. trip upwards; 240 pieces in all; 70 pieces of which to form the Outfits for the first and second Posts and 50 pieces for the third Post; the remaining 120 pieces Goods on Freight, these Outfits to be taken on to the different Posts by the Servants of the District assisted by Indians.

54. Summer Arrangements—

Norway House—Norway House, Dond. Ross, C.T. & 5 men.
Berens River Robt. Cummings & 1 man.
Nelson River, John Isbister.

55. That with the exception of Red River produce no supplies of any description be given either to Districts or Servants from this Establishment.

56. That the two decked Vessels be laid up for the ensuing Winter at Red River; and that the Crews be employed as may be required.

57. Winter and Summer Arrangements—

York—York Factory, John Charles, C.F.
Richard Grant, C.T.
E. H. Whiffen, Surgeon.
William McTavish, Clk.
John Randall, P.Mr.
An Appce Clk from England.
Churchill, Robert Harding, Clk.
Severn, Robert Wilson, P.M.
Oxford House, Geo. Gladman, C.T.
Island Lake, Wm. McKay, P.M.

58. That notwithstanding the appointment of Mr. Gladman to Oxford House it is to be understood his principal duty is that of accountant at York where he is to remain until after the departure of the Ship for England and return to the Establishment by the first craft in Spring.

59. That Chief Factor Charles avail himself of the Services of the most efficient person he can find at York for the management of the Fur Store during the Summer.

60. That 30 men including Mechanics and the Crew of the *Frances* Schooner constitute the Summer and Winter Establishment of York Factory.

Resolved 61. That 80 pieces Goods to be transported in a Boat manned by 7 men from York constitute the Current Outfit for Island Lake District.

62. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M. & 1 man.
Island Lake, 1 man.

63. That Chief Factor Charles be directed to employ 4 Boats manned by 32 Indians and a Guide in performing a double trip between the Depot and Norway House, in the transport of Goods and returns; the lading of each Boat upwards to be 80 pieces and downwards 70 pieces; 5 of which to be left at Oxford House and the remaining 65 pieces per Boat to be delivered at York.

64. That 6 men constitute the Winter & Summer Establishment of Churchill with an Outfit amounting to about 100 pieces Goods and provisions to be transported from York during the Summer by the *Frances* Schooner.

65. That 60 pieces Goods and provisions with 3 Servants constitute the Current Outfits of Severn; and that Robert Wilson Postmaster with one of these Servants remain at the

Post during the Summer, and the other two proceed to York early in June for the purpose of being employed there during the summer.

66. Columbia Arrangements—

Fort Vancouver—James Douglas, C.T.
Robert Cowie, C.T.
H. Beaver, Chaplain.
W. G. Rae, Clk.
Geo. T. Allan, Clk.
Benjamin McKenzie, Clk.
Wm. F. Tolmie, Clk & Surgeon.
Nasqually—Wm. Kittson, Clerk.
Fort Langley—James M. Yale, Clerk.
Fort George—John Dunn, P.Mr.
Fort Simpson—John Work, C.T.
John Kennedy, Surgeon.
Fort McLoughlin—Donald Manson, Clk.
John McLoughlin, Surgn.
Umpqua Fort—James Birnie, Clk.
Umpqua Expedn—Michel Leframboise, P.Mr.
Shipping *Beaver,* D. Home, Commander.
Nereid, Wm. H. McNeil, Commander.
Cadboro, Wm. Brotchie, Commander.
Fort Colvile, Archd. McDonald, C.T.
Coutonais, Charles Ross, Clk.
Flat Heads, Frs. Ermatinger, Clk.
Thompsons River, Samuel Black, C.T.
Okanagan, An Interpreter.
Nez Percez, An Interpreter.
River Roussie, Thomas McKay, Clk.
Snake Expedition, John McLeod, C.T.
Dond. McLean, P.M.

67. That it be discretionary with Chief Trader Douglas to make the appointments of the Gentlemen attached to Fort Vancouver and the lower establishments of the Columbia; likewise the Coasting Trade, Expeditions, Shipping &c. as he may consider expedient; and also that it be discretionary with the Senior Commissioned Officer in the upper part of the Columbia to make the appointments of the Gentlemen attached to that branch of the business as he may find necessary.

68. That 20 men be provided for this District to accompany the Saskatchewan Brigade under the charge of Chief Factor Rowand until they reach Edmonton and from thence

proceed under the Charge of Charles Ross to Colvile; thence to Vancouver under the charge of John McLoughlin unless these Gentlemen may receive further instructions from Chief Trader Douglas *en route* by which they will regulate their movements.

69. That Chief Trader Douglas take the necessary steps to employ the shipping in the Coasting & Timber Trades and to carry into effect the objects noticed in the Governor and Committee's Dispatch of 25th Jany. 1837 and in Govr. Simpson's letter of 1837.

70. New Caledonia Arrangements—

Stuarts Lake, P. S. Ogden, C.F. & Archd. McKinley, Clk.
Frazers Lake, Alexander Anderson, Clerk.
McLeods Lake, Paul Frazer, Clerk.
Alexandria, Alexr. Fisher, C.T.
Chilcotins, Wm. F. Lane, Clk.
Conollys Lake, John McKintosh, Clk.
Fort George, Porteous, Clk.
Babines, Wm. McBean, Clk.

71. That it be discretionary with Chief Factor Ogden to make the appointments of those Gentlemen as he may consider expedient.

72. That a Blacksmith be provided for the District and that he proceed with Mr. Porteous via Okanagan, Thompsons River and Alexandria.

73. That Chief Factor Ogden's requisition for Leather &c. be provided at Jaspers House by Chief Factor Rowand and be forwarded by the Columbia Portage to Okanagan.

With reference to further arrangements connected with the District, it is Resolved

74. That the same be determined by Letter to be written C. F. Ogden by Governor Simpson.

75. Ungava Arrangements—

Ungava—John McLean, Clerk.
Erland Erlandson, Clerk.

76. That the Brig *Eagle* be dispatched as early as the navigation opens with instructions to touch at Ungava; there to land an Outfit for that District and afterwards proceed with the Returns that may be shipped on board of her there for England, taking as passengers to Ungava Mr. McLean and 6 servants, and from thence any servants retiring to Europe.

77. That the Gentlemen in charge of the Districts and Posts of Athabasca and McKenzies river comply with any demands

whatsoever connected with their respective charges that may be made by Chief Factor Dease or, in his absence, by Mr. Thomas Simpson in aid of the Arctic Discovery Expedition.

Chief Trader Heron having obtained leave of absence during the Current year on the ground of indispositon and thereby unable to appear and answer the charges of intemperance brought against him, it is Resolved

78. That the enquiry and examination of that case be deferred until next year.

79. That an allowance of £100 with the usual supplies of Tea, Sugar &c. be made to the Catholic Mission of Red River Settlement for the Current Outfit.

80. That an allowance of £100 be made to Dr. Bunn for medical attendance on the Honble. Company's Establishments at Red River, the retired servants who cannot afford to pay for such, and other pauper settlers for the Current Outfit.

81. That an allowance be made to the Revd. Mr. Jones in aid of the Boarding Schools under his management for the Current Outfit.

The Revd. Mr. Jones having by his Letter of 17th June 1837 given notice of his intention to discontinue the management of the Red River boarding School, and Mr. McCallum having expressed a willingness to undertake that charge provided the Company become the Purchasers of the buildings and will grant him a lease of the same for a term of five years at a rent of 10 P. Cent per annum on the purchase money; and it being highly desirable that that institution should not be broken up, it is Resolved

82. That Chief Factor Christie be authorized to purchase the said buildings on account of the Fur trade from the Revd. Mr. Jones at a sum not exceeding £500 provided Mr. McCallum enters into an agreement to lease the same from the Company for a term of five years at the rent proposed; and to keep and deliver them in thorough repair at the expiration of his Lease.

83. That the engagements of the undermentioned Clerks and Postmasters be renewed for a term of 3 years from the date and at the salaries affixed to their names respectively Viz.

John Ballenden	Clk, 3 years from 1st June /37 @	£100 p. an.
John Bell	do	100
Charles Brisbois	do	100
Robert Campbell	do	60

Geo. Deschambeault Clk.	£100 p. an.
Frs. Ermatinger do	100
Paul Fraser do	100
Dond. McKenzie do	100
Wm. McBean do	60
A. R. McLeod, Jnr., App. Clk. 5 years @ 20, 25, 30, 40 & 50	
Benjn. McKenzie, Clk. 3 years	100
John McLoughlin, Jnr., Clk & Surgn., 5 yrs. 3 first	60
and 2 last	100
Archd. McKinlay, 3 years	75
Allan McMillan, Appe. 5 yrs. £20, 25, 30, 40 & 50.	
Donald Manson, 3 years	100
P. C. Pambrun "	100
Charles Ross "	100
Francois Richard, P.M., 3 yrs. from 1 June /37 @	25
John Rowand, Jnr. Clk. "	50
Thomas Simpson, Clk. "	100
William Sinclair, Clk. "	100
Geo. T. Allan, Clk., 3 years from 1 June /38 @	100
Francis Butcher do	75
James Birnie do	100
Robert Cummings, P.M.	
John Dunn do	
Henry Fisher, Clk.	100
Colin Fraser, P.M.	40
John Kennedy, Surgn. & Clk.	150
Pierre LeBlanc, P. Mr.	75
Wm. F. Lane, Clk.	100
Michael Laframboise, P.M.	100
Hector McKenzie, Clk.	75
Wm. McTavish, Clk.	75
John R. McKay, P.M.	60
Wm. McKay do	50
John McLean, Clk.	100
Frs. Payette, P.M.	75
John Randall do	60
Charles Roussain, P.M.	50
William C. Rae, Clk.	100
Patrick Small do	100
Wm. F. Tolmie, Clk. & Surgeon	150
Robert Wilson, P.M.	40
James M. Yale, Clk.	100

84. That the amount of requisition for Shipment 1838, Outfit 1839, do not exceed the sum of Seventeen Thousand Pounds Sterling.

85. That the following Servants be engaged for the Northern Department on five years' Contracts, viz.: from Europe, 1 better class Seaman capable of taking an observation, to command a small Craft and take charge of the naval stores at York Wages £40
2 Blacksmiths 25
2 Boatbuilders 25
1 Experienced Cooper 30
4 men accustomed to Slooping, boating & small Craft 20
20 labourers 16
30 Servants from Europe, From Canada on 3 years' Contracts
1 Blacksmith £25
1 Cooper 25
1 House Carpenter 30
1 Joiner 30
36 Voyageurs 17
40 Servants from Canada.

86. That George Setter, P.M., be permitted to retire from the Service to Red River Settlement and in consideration of his long and faithful servitude in course of which he has sustained considerable personal injury that he be allowed to retain his present salary of 60 Pounds during Outfit 1837.

87. That no Servants be permitted to settle at Red River Colony unless they become purchasers from the proprietors of the soil, of at least 50 acres of Land at 7/6 p. acre, payment thereof to be deposited with the Gentlemen in charge of the Depots to which they have been attached previous to their departure for the settlement.

88. That no Common Cub Bearskins be traded; as in the English market they barely fetch the duties and that the Indians be instructed not to scrape the Swan skins so much as they have been in the habit of doing which deteriorates their value about 25 p. cent.

With reference to the 22nd paragraph of the Gov. and Committee's Dispatch of 15th Feby. 1837 on the subject of interest

89. That the principal accountant at York Factory hand to the different Gentlemen superintending Districts a copy of that paragraph for the purpose of being made public.

The Governor & Committee having been pleased to remit the charges made to private account last year for deviating from the Rules and Regulations in force in regard to Wages &c., it is Resolved

90. That the same be intimated by the Accountant to the different parties and written back to their Credits.

91. That the Wages of Fishermen employed at such posts as are dependent principally or entirely on Fish be £3 more than the standard wages of Middlemen and that no Blacksmiths at inland Posts be allowed more than £25.

92. That the wages of a servant acting in the capacity of Cook or Gentleman's waiting man shall in no case exceed £17 p. annum; and that the additional gratuity heretofore given to persons acting in that capacity shall in future be allowed only to such servants as on the Summer voyage to and from their Wintering grounds act in the capacity of Cook or waiting man independent of his regular duty as one of the Crew of the Craft to which he belongs, except the Cooks or waiting men employed at the Depots of York, Vancouver, Moose & Norway House and Fort Garry, Red River Settlement.

93. That Thomas Anderson, Labourer at Norway House be fined £5 for deserting from the Arctic Discovery Expedition last year.

94. That John Ritch, Boat builder, be fined £5 for wanton destruction of the Company's property at Norway House last year.

95. That Liquor be not made an article of trade or medium of barter with Indians for furs in any part of the Country and that not more than 2 Gallons of spirituous Liquor and 4 Gallons Wine be sold at the Depots to any individual in the Company's service of what rank soever he may be.

With reference to the 12th paragraph of the Governor and Committee's Dispatch of 19th March 1836 in respect to the case of Andrew Wilson wherein it is expressed that the evidence of Garcon affords strong grounds for suspecting that Chief Trader Tod is not so temperate in his habits as could be wished the Council from what they know of Mr. Tod's habits consider it due to that Gentleman to express their opinion in this public manner, that the imputation is unfounded.

96. That Gentlemen in charge of Districts and Posts on both sides of the Mountains be instructed to forward as accurate a statement as possible of the Indian population within their Districts; as the Governor and Committee are desirous of

obtaining a Census of the whole Country through which their operations extend.

97. That Gentlemen in charge of Districts and Posts be instructed to keep a thermometrical Journal agreeably to directions that will be forwarded to the different Districts.

98. That a Winter Express from the Depot and the interior be appointed to meet at Carlton; the one to proceed northward via Isle a la Crosse and Athabasca, and the other southward via Fort Pelly and Norway House; and that all private Letters conveyed by the Ship be forwarded from the Depot to Norway House or Cumberland before the closing of navigation.

99. That the Gentleman in charge of Lake Superior Department be instructed to forward a Packet from the Sault St. Marys to Red River on the 1st Feby. with all Letters and papers that may be collected at the Sault or elsewhere within his charge previous to that date; and that no other express be forwarded unless rendered necessary by very important circumstances.

That a Packet for England be sent from Red River on the 21st October via St. Peters if anything particular occurs and that a duplicate dispatch together with any subsequent information that may occur be forwarded by Lac la Pluie on the 21st December.

100. That this arrangement be understood as not interfering with the usual Winter communication by the Coast which should be alternately forwarded from the Depots of York and Moose on the 1st December.

101. That the Standing Rules and Regulations from time to time issued be considered in force and acted upon accordingly until rescinded.

102. That this Council do now adjourn.

(Signed) George Simpson, Govr. in chief.
John Charles, Chief Factor.
John Rowand, do
Allan McDonell, do
John Lee Lewes, do
Rodk. McKenzie, do
Duncan Finlayson, do
Donald Ross, Chief Trader.

Minutes of Council, 1839.

Minutes of a Council held at Red River Settlement, Northern Department of Rupert's Land which commenced on the

sixth day of June, One Thousand Eight Hundred and Thirty Nine, for the purposes of establishing such rules and Regulations as may be considered expedient for conducting the business of said Department and in order to investigate the result of the trade of last year conformably to the provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudson's Bay bearing date the sixth day of June, One Thousand Eight Hundred and Thirty-four, at which were present the following members Viz:—

George Simpson, Governor in chief.
John Charles, Chief Factor.
John McLoughlin do
Alexander Christie do
John Rowand do
Allan McDonell do
Duncan Finlayson do
Donald Ross, Chief Trader.

Resolved 1. That the other Chief Traders be invited to attend and in consequence the following were present, William Todd and James Hargrave.

2. That the rotations of Furlough for the current year 1839 are in favor of Chief Factors Alexander Roderick McLeod, John George McTavish and George Keith with Chief Traders Richard Hardisty and John Tod.

3. That Chief Factor A. R. McLeod avail himself of his rotation of Furlough for the Current Outfit; that the rotations of Chief Factor George McTavish be transferred to C. F. Alexr. Christie, and that C. F. George Keith having been permitted leave of absence last year is not entitled to avail himself of his present rotation. The rotation of C. T. Richard Hardisty is transferred to C. T. James Hargrave; and C. T. John Tod having been permitted to enjoy the benefit of his Furlough in anticipation is no longer entitled to avail himself thereof.

In order to guard against any misapprehension with regard to the Furloughs for the ensuing year, it is Resolved

4. That they be considered as in favor of Chief Factors J. D. Cameron, John Charles & John McLoughlin, with Chief Traders John McLeod, Jnr., & M. McPherson.

5. That the following appointments take place, viz.:

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca.	John Charles.	Colin Campbell.
McKenzies River.		M. McPherson.
English River.	Rodk. McKenzie.	
Saskatchewan.	John Rowand.	J. E. Harriott.
	J. Lee Lewes.	
Swan River.		William Todd.
Red River.	Duncan Finlayson.	
Lac la Pluie.	Allan McDonell.	
Norway House.		Donald Ross.
York.		Nicol. Finlayson.
		Geo. Gladman.
		Richard Grant.
Columbia.	J. McLoughlin.	Archd. McDonald.
	Samuel Black.	John Work.
		John Tod.
		John McLeod.
		James Douglas.
		Donald Manson.
New Caledonia.	P. S. Ogden.	Alexr. Fisher.
Hudson Bay Discovery Exp'n.	P. W. Dease.	Thos. Simpson, Clk.

6. Winter Arrangements—

Athabasca—Dunvegan,	Colin Campbell, C.T.
	Wm. McMurray, App. P.M.
Ft. Chippewyan,	John Charles, C.F.
Vermilion,	Wm. Shaw, P.M.
Gt. Slave Lake,	Francis Butcher, Clk.

7. That 4 Boats and 29 men including the Guide & 250 ps. Goods constitute the Current Outfit for this District, and that an extra Boat and 7 men for this season only be employed in taking to the District deficiencies on the Outfits of the last & Current years and supplies for the Arctic Discovery Expedition.

8. That C. F. Charles accompany his Brigade to Norway House Summer 1840 where in consequence of his having intimated his intention of proceeding to Europe on Furlough he will be relieved in charge of the District and that previous to his departure from Athabasca next Spring he will make the necessary appointments of the Commissioned Gentlemen, Clerks, & Postmasters remaining inland for the Summer.

9. Summer Arrangements—

Athabasca—Dunvegan, 3 men incl. Intr. & App. P.M.
Ft. Chippewyan, 2 men incl. Intr.
Vermilion, 2 men incl. Intr.
Gt. Slave Lake, 2 men incl. Intr.

10. That C. T. Finlayson take the necessary measures to prepare and forward to Norway House about 220 pieces Goods for Athabasca Outfit 1840 by Indians or R. R. Carriers.

11. That C. F. Charles & C. T. Ogden concert measures for conveying to New Caledonia the dressed Leather, Parchment &c. required for the use of the latter District as it is intended that those should be provided in future say commencing with 1840 from the Athabasca instead of the Saskatchewan District as heretofore.

12. Winter Arrangements—

McKenzies River—Ft. Simpson, M. McPherson, C.T.
Alexr. Isbister, App. P.M
Riv're au Liard, Chas. Brisbois, Clk.
Fort Norman, Adam McBeath, P.M.
Fort Good Hope, John Bell, Clk.
Wm. Mowat, P.M.
Dease's Lake, R. Campbell, Clk.
A. R. McLeod, Jnr. App. Clk.

13. That about 250 pieces Goods in 4 Boats navigated by 31 men including the Guide, 25 of whom are Red River men hired for the trip and 6 men under contracts as regular servants who are intended for the District constitute the Current Outfit.

14. That C. T. McPherson take the necessary steps to establish in the Summer of 1840 a Post on Peels River under the direction of Mr. Bell and in 1841 another Post on the headwaters of Colvile River and as the recent arrangement with the Russian American Fur Company renders it unnecessary to extend the trade down Stikine River from the East side of the mountains as formerly contemplated that Mr. Campbell and people intended for that service be employed in assisting Mr. Bell to extend the trade from Peels River to Colviles River in 1841; and that H. McKenzie, App. P.M., be sent by the Athabasca Brigade to the District this season and 6 recruits next year to enable the Gentleman in charge of McKenzie River

to carry the projected extension of Trade into effect as early as possible.

15. Summer Arrangements—

McKenzies River—Fort Simpson	2	men incl.	Intr.
Riv're au Liard	2	do	do
Deases Lake	3	do	do
Fort Norman	1	do	do
Fort Good Hope,	2	do	do

16. That C. T. McPherson accompany the Brigade to Portage la Loche Summer 1840, and thence proceed so as to avail himself of his rotation of Furlough; and that in the absence of any arrangements hereafter to the contrary A. R. McLeod proceed in the Express Canoe from Canada to Fort William where two North Canoes will be manned by the Crew of the Canada Express Canoe; One of these to proceed to Red River and the other with Mr. McLeod direct to Portage la Loche, there to embark with the Brigade proceeding with the McKenzies River Outfit, in order to relieve Mr. McPherson in the charge of that District.

17. That C. T. McPherson make the necessary appointment of Clerks & Postmasters for Summer 1840 previous to his departure from McKenzies River.

18. That C. T. Finlayson take the necessary measures to prepare and forward in course of the Summer about 250 pieces Goods to Norway House for Outfit 1840; the same to be transported thence to Portage la Loche to start in 4 Boats on or before the 15th June 1840 manned by a Guide and 28 men, of whom 25 including the Guide are to be engaged for the trip at Red River and 4 Servants under engagements of not less than 3 years to replace retiring Servants.

19. Winter Arrangements—

English River—Isle a la Crosse,	R. McKenzie, C.F.
Rapid River,	An Interpreter.
Green Lake,	Thos. Hodgson, P.M.
Dease Lake,	Geo. Deschambeault, Clk.

20. That about 150 pieces Goods in 3 Boats manned by 16 men including the Guide and Indians hired for the Trip at English River constitute the Current Outfit for this District.

21. Summer Arrangements—

English River—Isle a la Crosse, Geo. Deschambeault, Clk. & 2 men.

Rapid River, One man.

22. That the usual quantity of dried Provisions be provided and forthcoming for the use of the Outward and inward bound Northern Craft Spring and Summer 1840.

23. Winter Arrangements—

Saskatchewan—Edmonton,		John Rowand, C.F.
		Robt. Clouston, Clk.
	Carlton,	Patk. Small, Clk.
	R. Mountn. Ho.,	J. E. Harriott, C.T.
	Ft. Assiniboine,	J. Rowand, Clk.
	Jaspers House,	Colin Frazer, P.M.
	Lesser Slave Lake,	Geo. McDougall, Clk.
	Fort Pitt,	Henry Fisher, Clk.
		P. Ogden, App. P.M.
	Cumberland,	J. Lee Lewes, C.F.
	Moose Lake,	An Interpreter.

24. That 550 pieces Goods in 9 Boats manned by 46 servants belonging to the District constitute the Current Outfit and that the Crews be made up by ingoing servants belonging to the Columbia and New Caledonia Districts.

25. That the following provisions and other Country Produce be provided by this District and brought to Norway House next season.

8 New Boats of 28 feet Keel.
3500 lbs. Grease.
150 Bales Dried Meat 90 lb. ea.
450 Bags Com. Pemican 90 lb. ea.
80 Bags fine Pemican 45 lb. ea.
100 Pairs tracking Shoes.
30 Leather Tents.
500 Buffalo Tongues.

26. That 100 Bags Pemican and the usual quantity of other Country produce be deposited at Cumberland House next season for the use of passing Brigades; and that all the surplus Grease collected in the District be brought to the Depot in a clean and rendered state for exportation.

27. That a Boat and 2 men be left at York for the purpose of conveying 12 of the servants coming from Europe by the ship inland where it is understood they shall pass the Winter and be brought to the Depot next Summer for general distribution.

28. Summer Arrangements—

Saskatchewan—Edmonton, J. E. Harriott, C.T. & 12 m.
Carlton, Patk. Small, Clk. & 7 men.
Ft. Assiniboine An Intr. & 1 man.
L. Slave Lake, Geo. McDougall, Clk. & 2 men.
Fort Pitt, Henry Fisher, Clk. & 4 men.
Jaspers House An Intr. & 1 man.
Cumberland, J. Rowand, Jr., Clk. & 2 men.

29. Winter Arrangements—

Swan River—Fort Pelly, William Todd, C.T.
Fort Ellice, J. R. McKay, P.M.
Manitobah, Frs. Richard, P.M.
Shoal River, An Interpreter.

30. That about 200 pieces Goods, 3 Boats and 15 Voyaging servants constitute the Outfit of this District; 100 pieces of those Goods for the Posts of Fort Pelly, Manitobah and Shoal River, and the remainder to be forwarded partly on freight to Red River Settlement for the trade of Fort Ellice; the crews of the Boats to be made up to 6 men each by Trippers hired for the voyage.

31. That C. T. Todd take to Norway House next Spring 300 lbs. Gum, 30 bushels salt and 15 Leather Tents for distribution together with all the Grease collected in the District in a clean and marketable state for exportation, and that he take the necessary steps to provide 300 Bushels Salt for the use of Red River Settlement deliverable at the North End of Manitobah Portage the price not to exceed 8/- p. Bushel.

32. Summer Arrangements—

Swan River—Fort Pelly, 3 men incg. Intr.
Fort Ellice, J. R. McKay, P.M. & 7 m.
Manitobah, Frs. Richard, P.M.
Shoal River, A Labourer.

33. Winter Arrangements—

Red River—Fort Garry, Duncan Finlayson, C.F., and 6 men.
John Ballenden, Clk. and 6 men.
Allan McMillan, Clk. and 6 men.
Lower Fort, H. McKenzie, Clk. and 2 men.
Surveying,, Geo. Taylor, Clk.
Warden of the Plains, Cuthbert Grant.
Expermtl. Farm, Geo. Carey and 11 men.

34. That the necessary buildings for establishing a distillery be erected at the Lower Fort if distillation in the Settlement be considered an advisable measure by the Council of Assiniboia.

35. That the Lake Winipeg Vessels winter in Red River; the crews to be employed as C. F. Finlayson may find expedient and that he be authorized to employ additional tradesmen and Labourers for erecting the requisite buildings at the Lower Fort.

36. That the arrangement entered into last year with settlers for the transport of Goods from York to Norway House and Red River be confirmed, say

1839	from	York Factory	to Norway House	13/— p. ps.
	"	"	Red River	17/—
1840	"	"	Norway House	13/—
	"	"	Red River	16/—

1841 the same as 1840 with the express condition that no Indians are to be employed in such transport.

37. That the following supplies be provided at the Colony for exportation to Norway House Summer 1840 made up in sound and transportable packages and purchased at the usual prices.

30	Bushels rough Barley.
12	Cwt. good Corned Beef.
20	Cwt. Biscuit.
42	Oak Boards.
50	Firkins of Butter 56 lb. ea.
10	Half Firkins of Butter 28 lb. ea.
6	Maccarons of Butter.
80	lb. Cheese.
15	Kegs Eggs.
650	Cwt. Kiln dried Flour.
70	well cured Hams.
50	Bales dried Meat 90 lb. ea.
400	Bags Com. Pemican.
35	Cwt. Salted Pork.
40	Kegs Potatoes.
3	Bushels Onions.
800	prs. tracking Shoes.
8750	Oak Staves.
150	Portage Straps.
2	Kegs Salted Suet.
12	Assortments Garden Seeds.

38. That a Guide and 24 men be engaged for the McKenzies River transport and the Fall freight from York Factory to Red River at £25 to the Guide, £16 to the Steersmen and £14 to the Bowsmen and £12 to the Middlemen.

39. That the price of Dollars in Red River be 4/3 each during the Current Outfit and hereafter 4/1; and English Gold Coin at the Standard value.

40. Winter Arrangements—

Lac la Pluie,—Fort Frances,		Allan McDonell, C.F.
		Wm. Sinclair, Clk.
	Lac du Bois Blanc,	James Sclister, P.M.
	Rat Portage,	Dond. McKenzie, Clk.
	Fort Alexander,	Andw. McPherson, Clk.

41. That about 260 pieces Goods with a complement of 12 voyaging servants constitute the Current Outfit; 140 of these to be taken from York to Norway House in 2 Boats manned by 12 voyaging servants, and the remaining 120 pieces to be transported to Norway House on freight, and from Norway House the whole to be transported in 4 Boats manned by 3 men each with the assistance of Indians.

42. That no spirituous Liquors be introduced into Lac la Pluie District after this date but that 40 pieces Provisions be supplied in addition to the usual supply of Country produce from Red River.

43. That the sum of £300 Sterling be paid by draft on the Governor and Committee to Ramsay Crooks Esqre. in consideration of the opposition having been withdrawn from the frontiers of the Lake Superior, Lac la Pluie and Red River Districts conformably to the terms of an arrangement entered into between the Hudson's Bay Company and the American Fur Company, the said amount to be charged to Lac la Pluie District Outfit 1838.

44. That the following Country produce be brought to Norway House next season.

40 Rolls good Birch Bark.
3 Cases Cedar Canoe Splinters.
3 Bundles Cedar Canoe Timbers.

45. Summer Arrangements—

Lac la Pluie—Fort Frances, 3 men incg. Intr.
Ft. Alexander, 2 men incg. Intr.
Rat Portage, 2 men incg. Intr.

46. That Chief Factor McDonell make the Summer appointments in regard to Clerks and Postmasters.

47. Winter Arrangements—

Norway House—Norway House, Dond. Ross, C.T.
John Finlayson, Clk., and 6 men.
Berens River, R. Cummings, P.M. and 2 men
Nelson River, J. Isbister, P.M. and 2 men.

48. That 2 voyaging servants belonging to the District assisted by 30 Indians to be engaged for that purpose be employed to make one trip between York and Norway House with 4 Boats carrying 80 pieces each per trip upwards or 320 pieces in all; 120 of which to form the District Outfit, the remaining 200 pieces Goods on Freight.

49. That with the exception of Red River and other Country produce, no supplies of any description be given or sold to servants or Districts at Norway House.

50. That an additional store be built at Norway House and that six of the recruits coming by the Ship and intended for McKenzies River next year, be stationed at Norway House during the Winter for the purpose of assisting in erecting the building and that the remaining 4 men intended for McKenzies River Outfit 1840 be sent from York so as to arrive at Norway House about the 1st April next.

51. Summer Arrangements—

Norway House—Norway House, Dond Ross, C.T.
J. Finlayson App. Clk. & 6 men.
Berens River, R. Cummings, P.M. & 1 man
Nelson River, J. Isbister, P.M. & 1 do.

52. Winter & Summer Arrangements—

York—York Factory, Nicol Finlayson, C.T.
George Gladman, C.T.
John Cowie, Surgeon.
Wm. McTavish, Clerk.
Richard Lane, App. Clk.
Wm. B. Philpin, P.M.
Robert Wilson, P.M.
Churchill, Robert Harding, Clk.
Severn, Jno. Cromartie, Intr.
Oxford Ho., Richard Grant, C. .T
Island Lake, Wm. McKay, P.M.

53. That notwithstanding the appointment of Mr. Grant to Oxford House it is understood that he shall be at York

during the Summer for the purpose of attending the Sale Shops.

54. That 30 men including Mechanics and the crew of the *Frances* Schooner constitute the Summer & Winter Establishment of York Factory.

55. That 80 pieces Goods transported in a Boat manned by 6 Servants and one Indian tripman constitute the Current Outfit for Oxford House and Island Lake Outposts.

56. That the Outpost of Island Lake be removed to a better fishery about 30 miles distance from the present Establishment.

57. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M. & 1 man.
Island Lake, One man.

58. That C.T. Grant be directed to employ 4 Boats manned by 32 Indians & a Guide in performing a double trip between the Depot and Norway House in the transport of Goods and Returns; the lading of each Boat upwards to be 80 & downwards 70 pieces, 5 of which to be left at Oxford and the remaining 65 pieces to be delivered at York Factory.

59. That 6 men constitute the Winter and Summer Establishment of Churchill with an Outfit amounting to about 100 pieces Goods and Provisions to be transported from York during the Summer by the *Frances* Schooner.

60. That 60 pieces Goods and Provisions with 3 Servants constitute the Current Outfit for Severn and that John Cromartie Intr. with one of these Servants remain at the Post during the Summer and the other two proceed to York early in June for the purpose of being employed there during the Summer.

61. That preparatory arrangements be made to re-establish the Post of Trout Lake Outfit 1840.

As a means of reducing the consumption of Sugar in the Department which is now an article so much in demand as to occupy a considerable portion of the freight from England, it is Resolved

62. That the requisition on England in that article be curtailed by 25 p. Cent & that the sale prices be increased 25 p. Cent.

63. Columbia Arrangements—

Columbia—Fort Vancouver, John McLoughlin, C.F.
Dugald McTavish, Clk.
G. T. Allan, do
W. F. Tolmie, Surgeon.
David McLoughlin, App. Clk.
Geo. B. Roberts, P.M.
Fort George, James Birnie, Clk.
Nisqually, Wm. Kittson, Clk.
Ft. Langley, J. M. Yale, Clk.
Ft. Simpson, John Work, C.T.
Alexr. Anderson, Clk.
Fort McLoughlin, John Kennedy, Surgn.
Courtney Walker, Clk.
Chas. Forrest, P.M.
Umpqua, Gagnon, Intr.
Bonaventura Expedn., Michel Laframboise.
Archd. McKinlay, Clk.
Shipping—*Beaver* Steamer, W. H. McNeil, Supercargo.
Jas. Sangster, Commr.
Walr. Stoddart, Mate.
Schooner *Cadboro,* James Scarboro, Commd.
Charles Dodd, Mate.
Ship *Vancouver,* Alexr. Duncan, Comr.
Alexr. Lattie, Mate.
Ft. Colvile, Archd. McDonald, C.T.
Flat Heads, Angus McDonald, App. Clk.
Coutanais, An Interpreter.
Thompsons River, Samuel Black, C.F.
Okanagan, An Interpreter.
Nez Percez, P. C. Pambrun, Clk.
Snake Expedn. incg. } Frs. Ermatinger, Clk.
Ft. Hall & Ft. Boisse, } Frs. Payette, P.M.
Dond. McLean, P.M.
Angus McDonald, Intr.
Stikine, Wm. G. Rae, Clerk.
John McLoughlin, Jnr., Surgn.
Rodk. Finlayson, App. Clk.
Sandwich Islands, George Pelly.
Alexr. Simpson.

64. That it be discretionary with C. F. McLoughlin to make the appointments of the Commissioned Gentlemen.

Clerks and Postmasters likewise of the Officers of Marine as he may consider expedient.

With reference to an agreement entered into with the Russian American Company under date the 6th Feby. 1839, it is Resolved

65. That either the ship to arrive at the Columbia next year from England or the Ship *Vancouver* accompanied by the *Beaver* Steam Vessel proceed with C. T. Douglas, Mr. Wm. Glen Rae, Mr. John McLoughlin Junr. & Mr. Roderick Finlayson with a complement of 20 labouring servants and a sufficient Outfit of Goods and Provisions to take possession of the Russian American Company's Establishment at the entrance of the River Stikine where Mr. Rae is to be left in charge assisted by the other Clerks before mentioned.

66. That immediately after the Post at Stikine be taken possession of Mr. C. T. Douglas shall proceed to the River Tacou about 100 miles north of Stikine and select an eligible situation for establishing a Post there and afterwards return to Fort McLoughlin for the purpose of removing that Establishment and reforming it on the banks of the Tacou River 12 marine leagues inland if possible under the command of Mr. John Kennedy assisted by C. Walker, Clerk, and Charles Forrest, Postmaster, with a complement of 30 laboring Servants.

67. That measures be taken to establish Outposts in the interior country of both the Stikine & Tacou Rivers in the year 1841 if possible.

68. That 45 labouring Servants be provided from York Depot for the Columbia Department including New Caledonia which with 25 Sandwich Islanders requested by the Ship from England of next year will be sufficient to meet all demands in that way for the ensuing Outfit on the west side of the Mountains.

With further reference to the said agreement, it is Resolved

69. That the quantity of Country produce there specified be provided also.

70. That the 2000 seasoned Land Otters traded on the west side the Mountains, and agreed to be paid as rent for the Russian territory ceded, be delivered on or before the 1st June every year commencing 1841.

71. That all the remaining seasoned Land Otter Skins traded on the West side the Mountains not exceeding 2000

annually be delivered previous to the same date in every year commencing with 1841, and

72. That 3000 seasoned Land Otter Skins excluding Cub, damaged & staged be provided from the East side the Mountains to complete the Contract entered into with the Russian American Company to be taken across the Mountains commencing with 1840 in the Columbia Brigade so as to be delivered by the 1st February every year commencing with 1841 in order to obtain payment by Bills on St. Petersburgh in time to be remitted by the Spring Express. That Chief Trader Ross be authorized to communicate with the different Districts in the Northern Department as to the mode of collecting the Otters, and that his attention be specially directed to the selection & packing of the same; that Gentleman being furnished with a copy of the agreement for his information and guidance.

73. That 500 seasoned Otter Skins be retained at York Factory this season 1839 and be forwarded to Norway House by the first trip of Oxford House freight boats Summer 1840; and the all the seasoned Otters procured at Churchill & Severn be hereafter retained at York and forwarded to Norway House the succeeding Summer in like manner so as to make up the stipulated number without the necessity of importing any from the Southern Department.

74. That an Indent of Goods intended for the Sandwich Island trade be transmitted to the Governor & Committee with a request that the same may be forwarded to Woahoo by the Ship of 1840 and that Mr. Alexander Simpson be sent from the Columbia to the Islands next year 1840, for the purpose of assisting Mr. Pelly in forming a commercial Establishment there and previous to proceeding thither to make a voyage to California for a Cargo of Sheep; and while there direct his attention to the Commercial operations of that Coast with a view of enabling us to form a Commercial Establishment there hereafter.

75. That C. F. McLoughlin be directed to give his particular attention to the affairs of the Puget Sound Agricultural Company as pointed out in the Prospectus, instructions from the Agents and other Documents handed him connected with that important object.

76. Columbia Arrangements continued.—

New Caledonia,	Stuarts Lake,	P. S. Ogden, C.F.
		Wm. Thew, Clerk.
	Frazers Lake,	Chas. Ross, do.
	McLeods Lake,	Paul Frazer, do.

Alexandria,	John Tod, C.T.
Chilcotins,	Wm. F. Lane, Clk.
Conollys Lake,	John McKintosh, Clk.
Fort George,	Wm. Porteous, do.
Babines,	Wm. McBean, P.M.

77. That C. F. Ogden make the appointment of the Gentlemen in New Caledonia as he may consider expedient.

78. That C. F. Ogden's requisition for Leather &c., be furnished at Dunvegan agreeably to the 11th Resolve of the Minutes of Council.

79. That C. F. Samuel Black and C. T. Donald Manson be allowed leave of absence for the benefit of their health if they continue to require such and that C. T. Alexander Fisher be permitted to come to the east side the Mountains in 1840 or 1841 should he desire it.

80. That with reference to further arrangements connected with the Columbia Department including New Caledonia, the same to be determined by Governor Simpson's Letters to Chief Factors McLoughlin & Ogden.

81. That C. F. Dease & Mr. Thomas Simpson Clerk be instructed to prosecute their discoveries in the Arctic Regions agreeably to Instructions received from time to time from the Governor & Committee and Governor Simpson, and that the necessary complement of Servants & Supplies in Goods, provisions &c. be furnished for the use of the Expedition under their command.

82. That Widow Taylor the mother of the late Peter Taylor be allowed an annuity of £5 yearly; her son Peter who lost his life while attached to the Expedition having been her principal support.

83. That the Gentlemen in charge of the Districts & Posts of Athabasca and McKenzies River comply with any demands whatsoever connected with their respective charges that may be made by Chief Factor Dease or in his absence by Mr. Thomas Simpson in aid of the Discovery Expedition.

84. That an allowance of £100 with the usual supplies of Tea, Sugar &c. be made to the Catholic Mission of Red River Settlement for the Current Outfit.

85. That the sum of £50 be given in aid of the School of Industry unfortunately burned down this season, and the same to be placed at the disposal of the Right Revd. the Bishop of Juliopolis.

86. That a gratuity of £100 be made to the Revd. Wm. Cochran in consideration of his zealous and arduous exertions while officiating in the Upper as well as the lower Parish in the absence of the Revd. Mr. Jones and his successor.

87. That allowance of £100 be allowed to Dr. Bunn for medical attendance on the Honble. Company's Establishments at Red River, the Retired Servants who cannot afford to pay for such, and other pauper Settlers for the Current Outfit.

88. That an allowance of £100 be made to Mr. John McCallum in aid of the Boarding School under his management for the Current Outfit.

89. That the usual contribution of £100 p. annum towards maintaining the Police Establishment of Red River be continued.

90. That no Servants be permitted to settle at Red River Colony unless they become purchasers from the Proprietors of the soil of at least 50 acres of Land at 7/6 p. acre, payment thereof to be deposited with the Gentleman in charge of the Depot to which they have been attached previous to their departure for the Settlement.

91. That all furs killed by Commissioned Gentlemen, Clerks and Servants and their families be considered the property of the Company, and paid for at the Indian Standard of the District, and that no Furs of any description be permitted to be used in or sent out of the Country on Private Account, except such as are purchased from the Stores in the manner described by the Standing Rules and Regulations of the Service.

Much loss in Postages and other inconveniences being incurred from the Practice of unnecessarily covering public and private Letters with Envelopes, it is Resolved

92. That in future all Gentlemen in the Country be intructed to discontinue this practice, and not to use detached covers or Envelopes except in cases where such may be absolutely necessary to cover the contents of their Letters or other communication.

93. That the Engagements of the following Clerks and Postmasters be renewed for a term of 3 years from the date & at the salaries affixed to their names respectively, viz.:

From 1st June 1839.

Robert Harding,	Clerk	£100
George McDougall,	do	100
Alexr Anderson,	do	100
Wm. Kittson,	do	100
John McKintosh,	do	100
Wm. Thew,	do	60
Courtney Walker,	do	100
J. R .McKay,	P.M.	60
Robert Cummings	do	50
Adam McBeath	do	40
Wm. Mowat	do	35
Francois Richard	do	30
Donald McLean	Clerk	60

94. That the amount of requisition from England Shipment 1840 do not exceed the sum of £20000.

95. That the following servants be engaged for the Northern Department on 5 years Contracts Viz.

From Europe		
2 Blacksmiths @	£25	to £30 p. an.
2 Coopers, Fish curers @	25	" 30 "
4 Sloopers @	20	
1 Plasterer @	30	
1 Joiner @	30	
30 Labourers @	16	

40 Servants from Europe.

From Canada on 3 years Contracts—

50 Voyageurs @ Prix du Poste or £17 p. annum.

96. That Resolves 88, 91, 92, 95, 98, 99, 100 and 101 of June 1837 be considered as forming part of the Standing Rules and Regulations of the Service and be added thereto.

The low price at which Musk rats are now sold in the English Market renders it necessary to reduce the prices paid for that description of Fur throughout the Country, it is therefore Resolved

97. That in the purchase of Musk Rats throughout the Northern Department except Red River, 12 Large Rat Skins be considered equal to a made Beaver, that in Red River 10 large Rat Skins be considered equal to a Made Beaver; and that no small Rats be purchased at any price.

98. That the price of Cattle, Sheep and Horses transferred from the Columbia Department to the Puget Sound Agricultural Company be as follows Viz.

Horned Cattle of all descriptions, incg. Calves 20/ ea.
Sheep of all kinds including Lambs 5/ ea.
Horses of all kinds including Mares with Colts 40/ ea.

99. That this Council do now adjourn.

(Sigd) George Simpson Governor
John Charles Chief Factor
John McLoughlin do
Alexr Christie do
John Rowand do
Allan McDonell do
Duncan Finlayson do
Donald Ross Chief Trader.

Red River Settlement,
12th June 1839.

COPY.

Restriction of the use of Spirituous Liquors in the Indian Trade.

Red River Settlement
14th Jany. 1839.

To

To John Rowand,
J. L. Lewes,
Donald Ross,
William Todd, and
James Hargrave. } Esqres.

Gentlemen

Since the breaking up of the Council, the sujbect of continuing the use of Spirituous Liquors in the Indian Trade in several Districts and Posts in the Northern Department to which that Article still continues to be imported has been fully discussed in Committee with Chief Factors McLoughlin, Christie, Rowand and Finlayson and Chief Traders Hargrave and Nicol Finlayson, and I am happy to say that those Gentlemen unanimously coincide with me in opinion that no serious difficulty or inconvenience is likely to arise from immediately and henceforth interdicting the use of Spirituous Liquors in the Indian Trade throughout the Lac la Pluie and Jack River De-

partments, at the Posts of Cumberland and Moose Lake, in the Saskatchewan Department at the Posts of Shoal River and Manitoba in the Swan River Department, and at the Posts of Oxford and Island Lake in the York Department. I have therefore to desire that no Spirituous Liquors be issued to Indians at any of the said Posts from henceforward without special authority from the Governor & Committee or Council

I remain Gentlemen

Your most obedt humble Servant

(Sigd) GEORGE SIMPSON.

Russian Agreement.

Agreement between the Hudsons Bay Company and the Russian American Company respecting certain commercial arrangements hereinafter noticed, signed at Hamburgh sixth day of February 1839.

The Governor, Deputy Governor & Committee of the Hudsons Bay Company London and the directors of the Russian American Company of St. Petersburgh being desirous of drawing still closer the ties of good understanding and friendship which unite them by means of an agreement which may settle on the basis of reciprocal convenience and advantage different points connected with the Commerce of the said Hudsons Bay Company and the Russian American Company have named agents to conclude an Agreement for this purpose; that is to say The Hudsons Bay Company of London have appointed Mr. George Simpson Governor of their Territories of Rupert's Land to act in their behalf; and the Russian American Company have appointed his excellency Baron Wrangell, Rear Admiral in the service of his Majesty, The Emperor of Russia, to act in their behalf; who after having communicated to each other their respective full powers found in good and due form have agreeed upon & signed the following Articles.—

Article 1st. It is agreed that the Russian American Company having the sanction of the Russian Government to that effect shall cede or lease to the Hudsons Bay Company for a term of 10 years commencing from the 1st June 1840 for commercial purposes the Coast (exclusive of the Islands) and the interior country belonging to his Majesty the Emperor of Rus-

sia, situated between Cape Spencer, forming the Northwest headland of the entrance of Cross Sound and Latitude 54° 40′ or thereabouts say the Mainland Coast and Interior Country belonging to his Majesty, the Emperor of Russia together with the free navigation and trade of the waters of that Coast and Interior Country, situated to the Southward and Eastward of a supposed line to be drawn from the said Cape Spencer to Mount Fair-Weather, with the sole or entire Trade or Commerce thereof; and the Russian American Company shall abandon all and every station and Trading Establishment they now occupy on that Coast and in the Interior Country already described, and shall not form any station or trading Establishment during the said term of ten years, nor send their Officers, Servants, Vessels or Craft of any description for the purpose of trade into any of the Bays, Inlets, Estuaries, Rivers or Lakes in that line of Coast and in that interior Country; and shall not have any communication for the purpose of trade with any of the Tribes of Indians occupying or inhabiting that Coast or interior Country, and shall not receive in Trade, Barter or otherwise any of the Furs, Peltries or Produce whatsoever of the Mainland Coast or Interior Country already described. And shall in good faith & in spirit to the letter relinquish in favor of, and cede and assign to the Hudsons Bay Company the entire Trade and Commerce of the said Coast and Country, and by every means in their power protect the Hudsons Bay Company from all interference, encroachment or competition in their trade on the part of other Russian subjects, strangers and Foreigners whatsoever during the said term of Ten years as effectually as if the said Coast and Interior Country had not been ceded and had been virtually occupied by themselves. And that the Russian American Company shall permit and afford facilities to the Hudsons Bay Company to take and retain possesion of the Russian Establishment of Point Highfield at the mouth of the Stikine river and to occupy by the formation of other Establishments, Stations or otherwise for the purposes of trade, such other Posts of the said Coast and Interior Country as they may consider it desirable so to occupy. And in the event of this Agreement not being renewed after the expiration of the said term of Ten Years it is agreed that the Hudsons Bay Company shall relinquish in favor of the Russian American Company the said Establishment situated at Point Highfield and any other stations or Posts they may in the meantime form on the Russian Territory

already described. And in consideration of such cession & protection and of the Commercial and other advantages The Hudsons Bay Company may derive from such cession and protection, it is agreed that the Hudsons Bay Company shall pay or deliver to the Russian American Company as annual rent 2000 seasoned Land Otter Skins (excluding Cub and damaged Skins) taken or hunted on the west side of the Rocky Mountains during the said term of Ten years; the first payment of the said rent to be by the delivery of the said 2000 Otter Skins on or before the 1st June 1841 to the Agents of the Russian American Company on the Northwest Coast.

Article 2nd. It is further agreed that the Hudsons Bay Company shall not trade with Indians nor receive in trade or Barter nor hunt any Furs or Peltries on any other part of the Russian Territory on the Northwest Coast or Islands than that ceded to them under the provisions of the foregoing Articles.—

Article 3rd. It is further agreed that the Hudsons Bay Company do sell to the Russian American Company all the seasoned Land Otter Skins they may collect on the West side of the Rocky Mountains not exceeding 2000 skins over and above the 2000 skins agreed to be paid as rent under the provisions of the first Article for the said term of Ten Years at the price of 23/ Sterling per skin deliverable annually to their Agent on the Northwest Coast. And that the Hudsons Bay Company do further agree to sell to the Russian American Company 3000 seasoned Land Otter Skins taken or hunted on the East side the Rocky Mountains for the said term of Ten Years at the price of thirty two shillings sterling per skin deliverable annually in like manner to the Agent of the Russian American Company on the Northwest Coast, the first delivery of Skins under this Article likewise to be on or before the first June 1841; and the following delivery of Skins to be on or before the first of June in every year.

Article 4th. It is further agreed that the Hudsons Bay Company shall provide the Russian American Company annually for a term of Ten Years with Wheat to the extent of 2000 Fenagos of 126 pounds per Fenago in 1840 and to the extent of 4000 Fenagos per annum afterwards at the price of Ten Shillings and Nine Pence Sterling per Fenago, and the whole or as much of the undermentioned Articles as convenient in 1840 and the full quantities annually for a term of 9 years afterwards at the prices affixed to those articles respectively, viz.:

160	cwt.	Wheat Flour	@	18/5 per cwt.
130	"	Pease	"	13/ "
130	"	Grits & hulled Pot Barley, if it can be annually provided	"	13/ "
300	"	Salted Beef	"	20/ "
160	"	" Butter	"	56/ "
30	"	Pork Hams	"	6d per lb.

Provided nevertheless that if through any unforseen cause it may not be possible for the Hudsons Bay Company to fulfil their part of the Agreement, then and in that case it is agreed that the Russian American Company shall send one of their Vessels to the Southern course for the purpose of receiving the like supplies through the agency of the Hudsons Bay Company, any extra charge that may be incurred through such contingency to be defrayed by the Hudsons Bay Company.

Article 5th. It being desirable for the Hudsons Bay Company to increase their Shipping or Tonnage from England to the North West Coast as a means of facilitating the transport of the Wheat & other supplies they have, under the foregoing Article of this Agreement undertaken to deliver to the Russian American Company, it is further agreed that whenever the Russian American Company may have occasion to forward to their Settlements on the Northwest Coast British manufactured Goods and other supplies of the like description as they have been usually in the habit of receiving from England & the United States of America they will forward the same on Freight by the Hudsons Bay Company's annual ship from England at a freight of £13 Sterling per Ton, the freight to be computed either by weight or measurement according to custom. It being provided nevertheless that when the Russian American Company may have occasion to send any of their own ships from St. Petersburgh to the North West Coast, they will in such cases forward their supplies by their own Ships instead of by the Hudson Bay Companys Ships.

Article 6th. It is further agreed that the purchase money for Otter Skins under the 3rd Article; the purchase money of wheat and other Agricultural produce under the 4th Article; the Freight of Goods under the 5th Article of this Agreement; and the purchase money for any other Article that may be supplied to the Russian American Company by the Hudsons Bay Company from time to time shall be paid from time to time on the delivery respectively of the said Skins, Wheat and other Agricultural produce, Goods on Freight and other articles to

the Agent of the Russian American Company at Fort Simpson, Stihine or any other Point more convenient to the Hudsons Bay Company on the Northwest Coast, North of the Latitude of Fort Simpson by Bills of Exchange in Triplicate to be drawn by the said Agent of the Russian American Company on the Directors of the Russian American Company at St. Petersburgh in favor of the Governor, Deputy Governor and Committee of the Hudsons Bay Company or order at sixty days after sight which the said Directors of the Russian American Company shall duly honour by acceptance and payment.

Article 7th. It is further agreed that should a declaration of War or hostilities unfortunately break out between Great Britain and Russia hereafter during the existence of this agreement, then and in that case such national hostilities shall not become a pretext for the non-payment on the part of the Russian American Company of the Drafts of their Agent on the North West Coast of America in favor of the Hudsons Bay Company but that all pecuniary matters of Account between the Contracting parties shall be liquidated and discharged honourably and in good faith as if their respective nations were in the most perfect amity.

Article 8th. It is further agreed that should a declaration of war or hostilities unfortunately break out between Great Britain and Russia hereafter during the existence of this agreement, the Russian American Company shall guarantee and hold harmless the Hudsons Bay Company from all loss and damage arising from such hostilities in so far as to enable the Hudsons Bay Company to evacuate and abandon their possessions and Trading Posts within the Russian Territory quietly and peaceably and to remove their Goods, Furs and other property within 3 months after receiving information of such hostility or declaration of war.

Article 9th. It is further agreed by the Hudsons Bay Company in consideration of the arrangements entered into under the provision of this agreement that they shall relinquish their claim now pending on the Russian Government, the Russian American Company or whoever else it may concern for injury or damage said to be sustained by the Hudsons Bay Company arising from the obstruction presented by the Russian authorities on the North West Coast of America to an Expedition belonging to the Hudsons Bay Company at the mouth of the river Stihine on the North West Coast of America in the year 1834 outfitted and equipped by the said Hudsons Bay

Company for the purpose of forming a commercial station in the interior British Territory on the Banks of the said Stihine River.

In witness whereof we, the respective Agents sign, seal and execute this Agreement at Hamburgh this sixth day of February Eighteen hundred and Thirty Nine.

(Signed) GEORGE SIMPSON
" BARON FERDINAND WRANGELL

Attested by Thomas Malis the Russian Vice Consul at Hamburgh 25th January 1839.

6th February

Hamburgh 6th February 1839.

Baron Wrangell
&c, &c, &c,

Sir

With reference to the agreement we have this day concluded between the Hudsons Bay Company and the Russian American Company, I beg to intimate for the information of all whom it may concern, that notice will be sent to Lord Palmerston by the Hudsons Bay Company soon after my arrival in England that the claim made by the Hudsons Bay Company on the Russian Government founded on certain proceedings that took place at the mouth of the Stikine river on the North West Coast of America in the year 1834 has this day been compromised and satisfactorily adjusted by us acting respectively on behalf of the Hudsons Bay Company and the Russian American Company.

I have the honor to be
&c, &c, &c,
(signed) GEORGE SIMPSON

George Simpson, Esquire,
&c, &c, &c,

Sir

With reference to the agreement we have this day entered into between the Russian American and Hudsons Bay Companies, I do hereby agree that during the Term of ten years from the 1st June 1840, the Russian American Company shall

not encourage the visits to the North West Coast of Strangers and Foreigners by purchasing from them different Goods except such as may be required in cases of great emergency or to realize payment for operations of the Dock Yard of the Russian American Company on the North West Coast or, if it is necessary to buy a whole Ship for the service of the Russian American Company. But it is distinctly understood that in the event of any strange Vessel happening to visit through severe weather or for the purposes of illicit trade the Russian Territory on the North West Coast and that the Russian American Company have not the power or right of compelling the departure of such vessel; such contingency is not to be made a pretext by the Hudsons Bay Company for withholding the rent agreed to be paid to the Russian American Company for the lease of the Coast.

I have the honor to be
&c, &c, &c,

(signed) BARON WRANGELL

HAMBURGH, 6th February 1839.

Baron Wrangell
&c. &c. &c.

Sir

I have the honor to acknowledge your letter of this date in reference to the agreement we have concluded between the Hudsons Bay Company and the Russian American Company under date 6th February 1839, and in reply I have to say that I am perfectly satisfied with the assurance you have given that the Russian American Company will not during the existence of that agreement encourage the visits of Strangers or Foreigners whatsoever for the purposes of trade, and further that the Hudsons Bay Company will not withhold or evade payment of the rent agreed to be paid to the Russian American Company under the circumstances or possible contingencies referred to in that Letter.

I have the honor to be
&c. &c. &c.

(Signed) GEORGE SIMPSON.

Instructions for preparing Caviare.

Immediately after the Sturgeon is cut open, take out the Roe, remove the film or skin surrounding it, let the particles of Roe be separated by hand and the little film or pieces of skin be picked out; put the Roes into a sieve or perforated Tub so that the blood and Oil may drain off for two or three hours, in a house of moderate temperature, afterwards mix it well up by hand with Salt in the proportion of one Salt to 7, 8 or 10 of Roe according to the time it is intended to be kept, let it then be put into a Bag of Cotton or Linen or clean bale cloth, tightly compressed and tied at the neck and hung up for 4 to 8 days in the house (moderate temperature) so as to allow the Oil or Moisture to drain off, and afterwards let it be packed up and pressed tight in clean Kegs or Casks either with or without the Bags and carried to Market in as cool a temperature as possible. Caviare is made of the Roe of any Fish. The Beluga, a very large Fish of the Sturgeon kind caught in the Volga Ladoga and Onega produces the best; but it is supposed that none can be preferable to the Hudsons Bay or Columbia Sturgeon. Caviare is worth in St. Petersburgh about 60 Rubles or 2/10 the Pood of 36 lb. or 1/4 to 1/5 per lb. and is sold in the Shops in London at from 2/— to 2/6 per lb.

Minutes of Council 1840.

Minutes of a Council held at Norway House, Northern Department of Rupert's Land which commenced on the Eighteenth day of June, One Thousand, Eight Hundred and Forty, for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said Department and in order to investigate the result of the trade of the last year and to determine the Outfits and general arrangements for the trade of the Current year conformably to the Provisions of a Deed Poll under seal of the Governor and Company of Adventurers of England trading into Hudsons Bay bearing date the 6th day of June, One Thousand Eight Hundred and Thirty Four at which were present the following members Viz

Duncan Finlayson, Chief Factor, President.
John Charles, do
John Rowand, do
Peter W. Dease, do
Roderick McKenzie, do
Donald Ross, do

Alexr Fisher,	Chief Trader
William Todd,	do
Donald Manson,	do

Resolved 1. That the rotations of Furlough 1840 are in favor of Chief Factors J. D. Cameron, John Charles and John McLoughlin with Chief Traders John McLeod Jnr. and Murdock McPherson.

2. That Chief Factor John Charles with Chief Trader John McLeod Jnr. and Murdock McPherson avail themselves of their rotations for the Current Outfit; and that the rotations of J. D. Cameron and John McLoughlin be transferred to C. F. Alexr. Christie and A. R. McLeod.

3. That Chief Factor P. W. Dease with Chief Traders Donald Manson, William Nourse, & Thomas Simpson be permitted leave of absence for the Current Outfit, but, in the event, of Chief Factor Dease not availing himself thereof that his services be considered disposable for the Current Outfit.

In order to guard against any misapprehension with regard to the Furloughs for the ensuing year, it is Resolved

4. That they be considered in favor of Chief Factors James Keith, Joseph Beioley and Alexander Christie with Chief Traders Thomas Fraser, & George Gladman.

5. That the following appointments take place.

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca,	P. W. Dease,	Colin Campbell,
McKenzies River,	John Lee Lewes,	Simon McGillivray,
English River,	Rodk McKenzie,	
Saskatchewan,	John Rowand,	J. E. Harriott,
Swan River,		Wm. Todd,
Red River,	Duncan Finlayson,	
Lac La Pluie,	Allan McDonell,	Nicol Finlayson,
Norway House,	Donald Ross,	
York,		James Hargrave,
		Alexr Fisher,
		George Gladman,
		Richard Grant,
Columbia,	John McLoughlin,	Archd McDonald,
	Samuel Black,	John Work,
	James Douglas,	Wm. H. McNeil,
		P. C. Pambrun,
New Caledonia,	P. S. Ogden,	John Tod,

6. Winter Arrangements—

Athabasca—Dunvegan,		Colin Campbell, C.T.
		Wm. McMurray, App. P.M.
	Ft. Chippewyan,	P. W. Dease, C.T.
		Hector McKenzie, App. P.M.
	Vermilion,	Wm. Shaw, P.M.
	Great Slave Lake,	Fras. Butcher, Clerk.

7. That 4 Boats and 29 men including the Guide and 250 pieces Goods constitute the Current Outfit for this District.

8. That Chief Factor Dease accompany his Brigade to Norway House Summer 1841 for the purpose of attending to the business of the District; and that the Commissioned Gentlemen, Clerks & Postmasters remain inland & be appointed as he may consider expedient.

9. Summer Arrangements—

Athabasca—Dunvegan, 3 men incl. Interpreter and App. P.M.
Ft. Chippewyan 3 men incl. Intr.
Vermilion, 2 men incl. Intr.
Great Slave Lake, 2 men incl. Intr.

10. That Chief Trader Hargrave take the necessary steps to prepare and forward to Norway House about 200 pieces goods for Athabasca Outfit 1841 by Indians or Red River Carriers.

11. That C. Factors Dease and Ogden concert measure, for conveying to New Caledonia the necessary quantities of dressed Leather, Parchment &c, &c, for the use of the latter District.

12. Winter Arrangements—

McKenzies River—Fort Simpson,		J. Lee Lewes, C.F.
		Alexr. Isbister, App. P.M.
	Riv're au Liard,	Simon McGillivray, C.T.
	Fort Halkett,	Charles Brisbois, Clk.
	Fort Norman,	Adam McBeath, P.M.
	Ft. Good Hope,	Allan Cameron, Clk.
	Peels River,	John Bell, Clk.
	Colviles River,	Wm. Mowat, P.M.

13. That about 220 pieces goods in 4 boats manned by 33 men including the Guide; 24 of whom are Red River men hired for the trip and 9 men under contracts as regular servants who are intended for the District constitute the Current Outfit.

14. That C. Factor Lewes take the necessary steps to establish, in the summer of 1841, a Post on the head waters of

Colviles River, should the discoveries to be made in that quarter this Summer render such a measure advisable; and that Robert Campbell and A. R. McLeod Jnr. be employed in extending the trade in that direction.

15. Summer Arrangements—

McKenzies River—Fort Simpson, 2 men incl. Interpr.
Riv're au Liard 2 do do
Fort Halkett 3 do do
Fort Norman 1 do do
Ft. Good Hope 2 do do
Peels & Colviles River

16. That Chief Factor Lewes accompany his Brigade to Portage La Loche Summer 1841 and that the Commissioned Gentlemen, Clerks & Postmasters attached to the District remain inland; and be appointed as he may consider expedient; and that it be discretionary with him to leave such a number of men at the newly established Posts as he may consider necessary for their safety.

17. That Allan Cameron Clerk be permitted to leave the District sufficiently early, Summer 1841 to reach Norway House in time to accompany the last canoe to Canada, he having intimated his intention to retire from the Service.

18. That Chief Trader Hargrave take the necessary steps to prepare and forward in course of the Summer about 250 pieces goods to Norway House for Outfit 1841; the same to be transported thence to Portage la Loche in 4 boats to start on or before the 10th June 1841 manned by a Guide and 30 men; of whom 25 including the Guide are to be engaged for the trip at Red River, and 6 Servants under engagements of not less than 3 years to replace any that may retire.

19. Winter Arrangements—

English River—Isle a la Crosse, Roderick McKenzie C.F.
Pierre Bruce, Intr.
Rapid River, An Interpreter.
Green Lake, Thos. Hodgson, P.M.
Deer's Lake, Geo. Deschambeault, Clk.

20. That 140 pieces Goods in 3 Boats manned by 16 men including the Guide and Indians hired for the trip from English River constitute the Current Outfit for that District.

21. Summer Arrangements—

English River—Isle a la Crosse, Geo. Deschambeault, Clk. and 2 men.

Rapid River, 1 man.

22. That the usual quantity of dried provision be provided and forthcoming for the use of the outward and inward bound Northern Craft, Spring and Summer 1841.

23. Winter Arrangements—

Saskatchewan—Edmonton,		John Rowand, C.F.
		Robt. Clouston, Clk.
	Carlton,	Patrick Small, Clk.
	Rocky Mountn. Ho.,	J. E. Harriott, C.T.
	Ft. Assineboine,	John Rowand, Jnr. Clk
	Lesser Slave Lake,	Geo. McDougall, Clk.
	Fort Pitt,	Henry Fisher, Clk.
		Peter Ogden, App.P.M.
	Jaspers House,	An Interpreter.
	Cumberland,	Andw. McPherson, Clk
	Moose Lake,	An Interpreter.

24. That about 500 pieces Goods in 11 Boats manned by Servants belonging to the District constitute the Current Outfit; and that the Crews be made up by ingoing Servants belonging to the Columbia and New Caledonia Districts.

25. That the following provisions and other Country Produce be provided by this District and brought to Norway House next season, viz.:

8 new Boats of 28 feet Keel.
150 Bales dried Meat, 90 lb. each.
450 Bags Com. Pemican 90 lb.
80 " Fine " 45 "
1000 pairs Tracking shoes.
30 Leather Tents.
500 Buffalo Tongues.

26. That 120 Bags Pemican and the usual quantity of other Country Produce be deposited at Cumberland House next season for the use of passing Brigades.

27. That a Boat and 2 men be left at York for the purpose of conveying 12 of the Servants coming from Europe by the Ship inland, where it is understood they are to pass the Winter, and that they be brought to the Depot next Summer for general distribution.

28. Summer Arrangements—

Saskatchewan—	Edmonton,	John Rowand, Jr., Clk. & 12 men.
	Carlton,	Patk. Small, Clk. & 7 men.
	Ft. Assineboine,	An Interpreter & 1 man.
	Lesser Slave Lake,	G. McDougall, Clk. & 2 men
	Fort Pitt,	Henry Fisher, Clk. & 4 men
	Jaspers House,	An Interpreter & 1 man.
	Cumberland,	Andw. McPherson, Clk. & 2 men.

As Mr. Rowand's presence will be required to attend a Council at Red River Spring 1841, it is Resolved

29. That Chief Trader J. E. Harriott assisted by Robert Clouston Clerk accompany the Brigade to and from the Factory, and that the Clerks and Postmasters remaining inland be appointed as Chief Factor Rowand may consider expedient.

30. Winter Arrangements—

Swan River—Fort Pelly, William Todd, C.T.
Fort Ellice, Jno. R. McKay, P.M.
Manitobah, Fras Richard, P.M.
Shoal Lake, An Interpreter.

31. That about 190 pieces Goods, 3 Boats and 15 voyaging Servants constitute the Outfit for this District; 100 pieces of those Goods for the Posts of Fort Pelly, Manitobah and Shoal River, and the remainder to be forwarded, partly on freight to Red River Settlement for the trade of Fort Ellice; the crews of the Boats to be made up to 6 men each by trippers hired for the voyage.

32. That Chief Trader Todd take to Norway House next Spring 300 lb. grease, 30 bushels salt & 20 leather tents for distribution; and that he take the necessary steps to provide 300 bushels salt for the use of the Red River Settlement, deliverable at the North End of Manitobah Portage, the price not to exceed 8/ per bush.

33. Summer Arrangements—

Swan River—Fort Pelly, 3 men including Intr.
Fort Ellice, J. R. McKay P.M. & 7 men
Manitobah, Fras. Ricard P.M.
Shoal River, A Labourer

34. Winter & Summer Arrangements.—

Red River—Fort Garry, Duncan Finlayson, C.F.
Hector McKenzie, Clk.
Allan McMillan, App. Clk. & 6 men.
Lower Fort, John Black, Clk. & 2 men.
Surveying, Geo. Taylor, Clk.
Warden of the Plains, Cuthbert Grant
Expermtl. Farm, Geo. Carey & 6 men.

35. That the Lake Winnipeg Vessels winter in Red River; the crews to be employed as Chief Factor Finlayson may find expedient, and that he be authorized to employ additional Tradesmen and Labourers for erecting the requisite buildings at the Lower Fort.

36. That the arrangements entered into in 1838/39 with Settlers for the transport of Goods from York to Norway House and Red River be confirmed, say 1839.

From York Factory to Norway House 13/ per piece.
From York Factory to Red River 17/ per piece.
1840 From York Factory to Norway House
From York Factory to Red River

1841 the same as 1840 with the express condition that no Indians are to be employed in such transport.

37. That the following supplies be provided at the Colony for exportation to Norway House Summer 1841, made up in sound and transportable packages and purchased at the usual price, viz.:

30 Bushels Rough Barley
12 Cwt. Corn Beef
30 " Biscuit
42 Oak Boards
40 Firkins Butter 56 lbs. ea.
10 half " do 28 "
6 Maccarons do
80 lbs. Cheese.
15 Kegs Eggs
650 Cwt. Kiln dried Flour
70 well cured Hams
50 Bales dried Meat 90 lbs. ea.
400 Bags Com. Pemican
45 Cwt. Salted Pork
40 Kegs Potatoes
3 Bushels Onions

1000 pairs tracking Shoes
200 Portage Straps
2 Kegs Salted Suet
15 assortments Garden Seeds

38. That a Guide and 24 men be engaged for the Mckenzies River transport and the fall freight from York Factory to Red River at £25 to the Guide, £16 to the Steerman, £14 to the Bowsman and £12 to the Middleman.

39. That the price of Dollars in Red River during the Current Outfit be at the rate of 4/9 per ounce or Sterling per Dollar and English Coins at the standard value.

40. Winter Arrangements—

Lac la Pluie—	Fort Frances,	Allan McDonell, C.F.
		Wm. Sinclair, Clk.
	Lac du Bois Blanc,	James Isbister, P.M.
	Rat Portage,	Donld. McKenzie, Clk.
	Fort Alexander,	Nicol Finlayson, C.T.

41. That about 250 pieces Goods with a complement of 12 voyaging Servants constitute the Current Outfit, 140 of these to be taken from York to Norway House in 2 Boats manned by 12 voyaging Servants; and the remaining 110 pieces to be transported to Norway House on freight; and from Norway House the whole to be transported in 4 Boats manned by 3 men each, with the assistance of Indians.

42. That 40 pieces provisions be supplied from Red River in addition to the usual quantity of Country Produce.

43. That the sum of £300 Sterling be paid by Draft on the Governor & Committee to Ramsay Crooks, Esquire, in consideration of the opposition having been removed from the frontiers of the Lake Superior, Lac la Pluie, and Red River District, conformably to the terms of an arrangement entered into between the Hudsons Bay Company and the American Fur Company, the said amount to be charged to Lac la Pluie Outfit 1839.

Information having been received through Mr. Keith from Ramsay Crooks Esquire, President of the American Fur Company, intimating the probability of Mr. W. A. Aitkins establishing a trading Post on the borders of the Lac la Pluie District near Vermilion Lake with a view of carrying on a trade with the natives of that quarter, and Mr. Crooks having requested permission to oppose Mr. Aitkin in order to restrain

his encroachments upon the trade of Lac la Pluie District, it is Resolved

44. That Mr. Crooks be requested to oppose him accordingly.

45. That Chief Factor McDonell be instructed to make the necessary arrangements for meeting the expected opposition with vigour; and that any additional supplies in men and Goods required for that purpose be furnished him from Red River by C. F. Finlayson.

46. Summer Arrangements—

Lac la Pluie,—Fort Frances, 3 men including Intr.
Fort Alexander, 2 men including Intr.
Rat Portage, 2 men including Intr.

47. That Chief Factor McDonell make the necessary Summer appointments of Clerks & Postmasters for this District.

48. Winter Arrangements—

Norway House—Norway House, Dond Ross, C.F.
John Finlayson, App. Clk. & 7 men.
Berens River, Robt. Cummings, P.M. & 2 men
Nelson River, John Isbister, P.M. & 2 men.

49. That 2 voyaging Servants belonging to this District assisted by 30 Indians to be engaged for that purpose be employed to make one trip between Norway House and York with 4 Boats carrying 80 pieces Goods each per trip upwards or 320 pieces in all, 110 pieces of which to form the District Outfit and the remaining 210 pieces Goods on freight.

50. That with the exception of Red River and other Country Produce, no supplies of any description be given or sold to Servants or Districts at Norway House.

51. That the 6 new hands intended for the McKenzies River 1841 be stationed at Norway House during the Winter together with any supernumeraries that can be supplied from York in the Fall for the purpose of erecting the necessary buildings at that place.

52. Summer Arrangements—

Norway House—Norway House, Donald Ross, C.F.
John Finlayson, Clk. & 7 men.
Berens River, Robt. Cummings, P.M. & 1 man.
Nelson River, John Isbister, P.M. & 1 man.

53. Winter & Summer Arrangements—

York—York Factory, James Hargrave, C.T.
Geo. Gladman, C.T.
Surgeon,
Wm. McTavish, Clerk.
Richard Lane, App. Clk.
W. B. Philpin, Sloopmaster.
Robert Wilson, P.M.

Churchill,	Robert Harding, Clk.
Severn,	John Cromartie, Intr.
Trout Lake,	Alexr. Fisher, C.T.
Oxford House,	Richd. Grant, C.T.
Island Lake,	Wm. McKay, P.M.

54. Notwithstanding the appointment of Mr. Grant to Oxford House it is understood that he shall be at York during the Summer for the purpose of attending to the Sale Ships.

55. That 30 men including Mechanics and the Crew of the *Frances* Schooner constitute the Summer & Winter Establishment of York factory.

56. That 6 men constitute the Summer & Winter Establishment of Churchill with an Outfit amounting to about 90 pieces Goods and Provisions to be transported from York during the Summer by the *Frances* Schooner.

57. That 90 pieces Goods and Provisions with 8 men constitute the Current Outfit for the Posts of Trout Lake and Severn; and that Chief Trader Fisher make the necessary Summer Arrangements for these Posts; and that all his disposable hands be at York as early as possible for the purpose of being employed there during the Summer.

58. That Chief Trader Grant be directed to employ 4 Boats manned by 32 Indians and a Guide in performing a double trip between the Depot and Norway House in the transport of Goods and Returns; the lading of each Boat upwards to be 80 and downwards 70 pieces; 5 of which to be left at Oxford and remaining 65 pieces per Boat to be deliverable at Y. Factory.

59. That 70 pieces Goods transported in a Boat manned by 6 Servants and one Indian tripman constitute the Current Outfit for Oxford and Island Lake Outposts.

60. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M., & 1 man.
Island Lake, 1 man.

61. Columbia Arrangements—

Fort Vancouver—John McLoughlin, C.F.
James Douglas, C.F.
Dugald McTavish, Clerk.
Geo. T. Allan, Clerk.
Wm. F. Tolmie, Surgeon.
David McLoughlin, App. Clk.
Geo. B. Roberts, P.M.

Fort George—James Birnie, Clerk.

Nisqually & Cowlitz Portage—Wm. Kittson, Clerk.
James Steile, Clerk.

Fort Langley—James M. Yale, Clerk.

Fort Simpson—John Work, C.T.
Angus McDonald, App. Clk.

Fort McLoughlin—Alexr. C. Anderson, Clerk.

Umpqua—Jn. B'te Gagnon, Interpreter.

Buenaventura Expedn.—Michel Laframboise, P.M.
Archd. McKinlay, Clerk.

Snake Expedn. incl. Fort Hall—Francis Ermatinger, Clk.
Courtney Walker, Clk.
Charles Forrest, P.M.
Angus McDonald, Inter.

Boissi—Fras. Payette, P.M.

Fort Colvile—Archd. McDonald, C.T.

Flat Heads—Donald McLean, Clerk.

Coutonais—An Interpreter.

Thompsons River—Samuel Black, C. Factor.

Okanagan—An Interpreter.

Nez Percez—P. C. Pambrun, C. Trader.

Stikine—Wm. G. Rae, Clerk.
John McLoughlin, Clerk & Surgn.

Tacou & Upper
Stikine Posts Disposable—John Kennedy, Clerk & Surgn.
Rodk. Finlayson, App. Clk.
Forbes Barclay, Surgeon.
John O'Brien, Clerk.
Henry Maxwell, Clerk.
A. Lee Lewes, App. Clerk.
William Wood, App. Clk.
John McPherson, App. P. Mr.

Sandwich Islands—Geo. Pelly, Agent.
Alexr. Simpson, Clerk.

Beaver Steamer—Wm. H. McNeil, C. Trader.
James Sangster, Commander.
Walter Stoddart, Mate.
Jos. Carless, 1st Engineer.
Barque *Vancouver*—Alexr. Duncan, Master.
Wm. Mitchell, Mate.
Schooner *Cadboro*—James Scarborough, Master.
Alexr. Lattey, Mate.
New Caledonia—Stuarts Lake, P. S. Ogden, C. Factor.
Wm. Shaw, Clerk.
Frasers Lake, Charles Ross, Clerk.
McLeods Lake, Paul Fraser, Clerk.
Alexandria, John Tod, C. F.
Chilcotins, Wm. F. Lane, Clk.
Conollys Lake, John McKintosh, Clk.
Fort George, Wm. Porteous, App. Clk.
Babines, Wm. McBean, App. Clk.

62. That it be discretionary with Chief Factor McLoughlin to make the appointments of the Commissioned Gentlemen, Clerks and Postmasters in the Columbia Department which is understood to comprehend New Caledonia, the Sandwich Islands and the Marine Department; it being also however understood that it be discretionary with Chief Factor Ogden to make the appointments of the Gentlemen in New Caledonia as he may consider expedient.

With reference to the agreement entered into with the Russian American Fur Company, it is resolved

63. That Chief Factor McLoughlin take the necessary measures for carrying into full effect the instructions of the Committee on the subject, and for completing our contract with that association.

64. That steps be taken to establish Outposts in the interior Country of both the Stikine and Tacou Rivers in the year 1841.

65. That Messrs. O'Brien and Maxwell, Clerks, and Mr. McPherson, Apprentice Postmaster, with labouring Servants and Mechanics (3 of whom including a Blacksmith are intended for the New Caledonia District) to be provided from York Depot, accompany the Saskatchewan Brigade under the charge of Chief Factor Rowand to Edmonton and from thence proceed under the charge of Mr. Dugald McTavish to Fort Vancouver unless he may receive further instructions from C. F. McLoughlin by which he will regulate his movements.

From the want of judgment and foolhardiness of many of our Guides in running rapids, which has already been produc-

tive of such melancholy results in the loss of both lives and property particularly in the Columbia, it is Resolved

66. That no Guide or Steersman be hereafter permitted to run any rapid or fall where the least danger is to be apprehended; and that any contravention or evasion of this resolution be visited with the most severe punishment which the Governor & Council can legally inflict and that no Gentleman in charge of Brigades be allowed to absent themselves from such charge until they reach their destination.

67. That all Gentlemen in charge of Districts, Posts and Brigades be directed to give publicity to the foregoing Resolution.

68. That Chief Factor McLoughlin be directed to give his particular attention to the affairs of the Puget Sound Agricultural Company; and that every facility be afforded towards placing the affairs of that association on as favourable a footing as possible.

69. That Chief Factor Ogden make the necessary requisition for Leather, &c., agreeably to the 11th Resolution of these Minutes.

70. That Chief Factor Ross be directed to take the necessary steps to provide and forward 3000 prime Otters by the Columbia Brigade this season, for the purpose of meeting our Contract with the Russian American Company; and that Chief Factor Rowand and Mr. Dugald McTavish, Clerk, be particularly enjoined to take the most watchful care of these skins from soil or damage of any kind during the voyage.

In order to ensure the due fulfilment of our Contract with the Russian American Fur Company, it is Resolved

71. That Chief Factor Ross be authorized to order from the Posts of Lake Superior District to be taken to the Northern Department by the Montreal Brigade Spring 1841 as many prime Otter Skins as he may find necessary to complete the said Contract; and that he be directed to make any other arrangements he may think requisite for the accomplishment of this object.

In order to afford every facility to Governor Simpson on his intended arduous journey across the Continent, it is Resolved

72. That Chief Factor Rowand be directed to provide the necessary Horses and appointments for crossing the plains from Red River to Edmonton and thence to Fort Assiniboine; and the requisite Craft for ascending the Athabasca river to Jas-

pers House together with horses from thence to the Boat Encampment, and that Chief Factor McLoughlin be directed to provide two Good Boats with the necessary Guides, Boutes and Provisions; all to be in readiness at the Boat Encampment on or before but not later than the 20th August 1841.

In order to give full effect to the laudable and benevolent views of the Governor and Committee towards the diffusion of Christianity and civilization among the natives of this Country, it is Resolved

73. That three Missions be established in the Northern Department this season—say one at Norway House under the charge of the Revd. Mr. Evans, one at Lac la Pluie under the charge of Revd. Mr. Mason, and one at Edmonton under the charge of the Revd. Mr. Rundle; that every facility be afforded them for successfully conducting their spiritual labours; and that a Copy of the 9th Paragraph of the Governor and Committee's Dispatch of 4th March 1840 on this subject be furnished to each of the Gentlemen in charge of the above Districts for the purpose of giving full effect to their Honor's instructions.

74. That the Gentleman in charge of York Factory be directed to send an extra Commissioned Gentleman's allowance to Norway House, Lac la Pluie and Saskatchewan for the use of the Mission.

75. That an allowance of £100 with the usual supplies of Tea, Sugar, &c., be made to the Catholic Mission of Red River for the Current Outfit.

76. That an allowance of £100 be made to Dr. Bunn for medical attendance on the Honble. Company's Establishment at Red River, the retired Servants who cannot afford to pay for such and other pauper Settlers for the Current Outfit.

77. That an allowance of £100 be made to Mr. John MacCallum, in aid of the Boarding School under his management for the Current Outfit.

78. That the usual contribution of £100 per annum towards maintaining the Police Establishment of Red River be continued.

79. That no Servants be permitted to settle at Red River Colony, unless they become purchasers from the proprietors of the soil of at least 50 acres of Land at 7/6 per acre; an order for the payment thereof to be deposited with the Gentleman in charge of the Depot to which they have been attached previous to their departure for the settlement.

80. That all Furs killed by Commissioned Gentlemen, Clerks and Servants and their families be considered the property of the Company, and be paid for at the Indian Standard of the District, and that no Furs of any description be permitted to be used in, or sent out of the Country on private account except such as are purchased from the Stores; and that Furs so purchased for private or family use in the Country be always purchased for 10 per cent on the last nett average Sales, but that all Furs purchased for sending out of the Country be charged at the highest price obtained in England for such description of Furs during the preceeding year.

With reference to the 20th Paragraph of the Govr. and Committee's Dispatch of this season, regarding the expense incurred by the present mode of packing and sending home the Furs, It is

81. That all Gentlemen superintending Districts be requested to give directions that the Beaver and Bear Skins procured in their respective Districts be well beaten and dusted previous to their being packed, to instruct the Indian hunters to stretch and dry the Lynx Skins with the fur outside, to remove the genitals of the Male Martens, and to see that no Beaver or prime Bear Skins be used as wrappers or covers for packs in future.

82. That the sum of £300 be annually set aside from the profits of the Fur trade, commencing with the last Outfit, as a fund from which to grant pensions to retiring meritorious Officers whose length of servitude and limited circumstances give them expectations which could not otherwise be realized.

83. That agreeably to the recommendation of the Governor and Committee the sum of £100 be allowed to Mr. Colin Robertson, late Chief Factor, out of the above fund at their pleasure.

84. That from want of the necessary information, it is not expedient at present to enter on the subject of renewing the Engagements of such Clerks and Postmasters whose Contracts have expired with the past Outfit, until the next sitting of Council; it is however understood that this resolution is not to operate to the prejudice of any of those entitled to increase of salary which will of course commence with the Current Outfit.

85. That the amount of Requisition from England for shipment '41, do not exceed the sum of £——

86. That the following Servants be engaged for the Northern Department on 5 years' Contracts, viz.:

From Europe.

2	Blacksmiths.....	@ from	£25 to	£30	per annm.
2	Cooners (Fishcurers)...	"	25 "	30	"
3	Masons.....	"	25 "	30	"
2	Joiners.....	"	25 "	30	"
6	Sloopers.....	"	20		
30	Labourers.....	"	16		
45					

From Canada 3 years' Contracts.

50 Voyageurs @ prix du Poste or £17 Ster. per annm.

87. That Resolutions 88, 91, 92, 95, 98, 99, 100 and 101 of Council June 1837 be considered as forming part of the standing Rules and Regulations of the Service and be added thereto.

88. That in the purchase of Musk-Rats throughout the Northern Department, except at Red River 12 large Rat Skins be considered equal to a Made Beaver; that in Red River 10 large Rat Skins be considered equal to a made Beaver; and that no small Rats be purchased at any price.

To prevent a recurrence of the inaccuracies found of late years in the Depot Fur Packing Accts., it is Resolved

89. That a Commissioned Gentleman or Clerk of correct habits of business be intrusted with the management of that branch of the Depot duties hereafter who will check the accounts of his subordinates by passing every skin through his own hands and that C. Trader Donald Manson be appointed to that duty this Summer at York Factory.

With reference to the 32nd Paragraph of the Govr & Committee's Dispatch of 4th March last, on the subject of simplifying the Accounts by equalizing the percentages on Inland Inventories, It is

90. That an advance of 25 per cent be added to the York Depot Tariff (of 33⅓ per cent on prime cost) on all inventories of imported Goods in the interior Districts to commence with the inventories at the close of Outfit 1839 and that the District transfers be priced accordingly; but that the Sale Tariff to Servants and Settlers be continued as heretofore throughout the Country.

With further reference to the said Paragraph, it is Resolved

91. That Country made Articles of every description both at the Depot and Inland, and all Articles valued on the inven-

tory of the Experimental Farm at Red River Settlement be hereafter included in the same Account with the Country Produce, at the fixed or established prices of the Department and form a transfer between the Outfits.

92. That half the wages of all supernumerary Servants excepting Invalids be hereafter charged to the Depot or District at which they may winter, and the remaining half to the General Expenses of the Department.

93. That Chief Factors Finlayson and Ross and Chief Trader Todd take the necessary steps for carrying into effect the Governor & Committee's wishes in regard to the improvement of the roads on the Portages and Tracking Ground between York and Norway House.

In consequence of the great depreciation in the prices of Lynx and Musquash, it is Resolved

94. That not more than half the quantities shipped from York and Moose last year be sent to England this season.

95. That this Council do now adjourn.

(Sgd) DUNCAN FINLAYSON, C.F.,
President.

JOHN CHARLES, C.F.,
JOHN ROWAND, C.F.,
RODK. McKENZIE, C.F.,
DOND. ROSS, C.F.,
ALEXR FISHER, C. Trader.
WILLIAM TODD, "
DONALD MANSON, "

Scheme of a Benefit Fund.

At the suggestion of the Governor and Committee, the President and Council of the Northern Department propose the following draft of a scheme for establishing a Benefit Fund.

1st. That a permanent Benefit Fund be established in aid of disabled, aged and retired Servants of the Honble Hudsons Bay Company below the rank of Clerks whose means may be inadequate for their support.

2nd. That each	Chief Factor contribute annually.	40/–
"	Chief Trader..	20/–
"	Clerk of £100 & upwards.. ..	5/–
"	Clerk under £100..	2/6
"	App Clks & Postmasters..	2/–
"	Labourer or Mechanic of £20 & upwards..	1/6
"	Labourer or Mechanic under £20.	1/–

3rd That all Mulcts and fines imposed on individuals in the Service for misconduct or otherwise shall be placed to the Credit of this Fund.

4th. That the Accountant of each Department be directed to make up as early as convenient correct Lists of the total number of each class of Contributors within their respective Departments below the rank of Postmaster in the Land Service & Mates in the Marine, copies of which to be forwarded by the first opportunity to the Governor & Committee in England, and the Governor & Council in this Country.

We find that the want of necessary information will not enable us to propose at present the requisite conditions which may entitle candidates to be placed as pensioners on this Fund, nor will the uncertainty as to the probable number of applicants, and the amount of its proceeds permit us to propose with desirable accuracy any stated amount for such Pension. We are therefore of opinion that the final arrangement of this scheme should be settled by the Governor & Committee, or under their Honors' directions, by the Governor & Council in this Country next season.

(Sgd.) DUNCAN FINLAYSON, C.F.,
President.

Norway House,
24th June, 1840.

Minutes of Council, 1841.

Minutes of a Council held at Red River Settlement, Northern Department of Ruperts Land, which commenced on the Fourteenth day of June, One Thousand Eight Hundred and Forty one, for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of the said Department, and in order to investigate the result of the trade of last year, conformably to the provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudsons Bay, bearing date, the sixth day of June, One Thousand Eight Hundred and Thirty four, at which were present the following members Viz.

Sir George Simpson, Govr. in chief.
John Rowand, Chief Factor.
Allan McDonell Do
Duncan Finlayson Do
Donald Ross Do

William Todd,	Chief Trader.
Nicol Finlayson	Do
George Gladman	Do

Resolved 1. That the rotations of Furlough for the Current Outfit 1841 are in favor of Chief Factors James Keith, Joseph Beioley and Alexander Christie with Chief Traders Thomas Frazer and George Gladman. That Chief Factor Joseph Beioley and Chief Traders Thomas Frazer and George Gladman avail themselves thereof; and that the rotations of Chief Factors James Keith and Alexander Christie be transferred to Chief Factors Wm. Connolly and Allan McDonell.

2. That leave of absence for the Current Outfit be afforded to Chief Factor John Charles and Peter W. Dease with Chief Traders Thomas McMurray, John McLeod, Jnr., and Alexander Simpson.

3. That the rotations of Furlough for the ensuing year Outfit 1842 be considered in favor of C. Factors John Rowand, J. Lee Lewes and Rodk. McKenzie, with Chief Traders W. H. McNeil and P. C. Pambrun.

In order to prevent any difficulty or misunderstanding hereafter in regard to rotation of Furlough, it is Resolved

4. That no Commissioned Gentleman shall be entitled to Furlough, until the expiration of 7 years after his last Furlough or leave of absence.

5. That the following appointments take place, viz.:

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca.		Colin Campbell.
McKenzies River.	J. Lee Lewes.	Alexr. Fisher.
		John Bell.
English River.	R. McKenzie.	
Saskatchewan.	John Rowand.	J. E. Harriott.
Swan River.		Wm. Todd.
Red River.	Duncan Finlayson.	
Lac La Pluie.		Nicol Finlayson.
Norway House.	Donald Ross.	
York Factory.		James Hargrave.
Columbia.	John McLoughlin.	Archd. McDonald.
	James Douglas.	John Work.
		Richard Grant.
		Dond. Manson.
		W. H. McNeill.
		P. C. Pambrun.
New Caledonia.	P. S. Ogden.	John Tod.

6. Winter Arrangements—

Athabasca—Fort Chippewyan,	C. Campbell, C.F.	
	Wm. McMurray, App. P.M.	
Dunvegan,	F. Butcher,	
Vermilion,	Wm. Shaw, P.M.	
Gt. Slave Lake,	G. Deschambeault, Clk.	

7. That 4 Boats and 29 men including the Guide and 250 pieces Goods constitute the Current Outfit for this District.

8. That C. T. Campbell accompany his Brigade to Norway House Summer 1842 for the purpose of attending to the business of the District, and that the Clerks and Postmasters remain inland and be appointed as he may consider expedient.

9. Summer Arrangements—

Athabasca—Fort Chippewyan,	3	men incl.	Interpr.
Dunvegan	3	do	do
Vermilion	2	do	do
Gt. Slave Lake	2	do	do

10. That C. T. Hargrave take the necessary steps to prepare and forward to Norway House about 220 pieces Goods for Athabasca Outfit 1842 by Indians or Red River Carriers.

11. That C. T. Campbell and C. F. Ogden concert measures for conveying to New Caledonia the necessary quantity of dressed Leather, Parchment, &c., for the use of the latter District; and that a Boat be furnished by Athabasca for the transport of the Leather to Rocky Mountain Portage.

Serious loss and inconvenience having arisen from the employment of Indians on Portage la Loche; and the absenting himself from his Brigade of the Gentleman in charge, contrary to repeated Resolutions on that subject, it is Resolved

12. That any expense or loss hereafter incurred through such irregularities shall be charged to the private account of the Gentleman conducting the Brigade with a fine not exceeding Ten Pounds for such contumacy.

13. Winter Arrangements—

McKenzies River—Ft. Simpson,	J. L. Lewes, C.F.	
	P. C. Pambrun, App. P.M.	
Riv're au Liard,	Chas. Brisbois, Clk.	
Ft. Good Hope,	A. Fisher, C.T.	
Fort Halkett,	A. Isbister, App. P.M.	
Fort Norman,	A. McBeath, P.M.	
Peels River,	John Bell, C.F.	
	H. McKenzie, App. P.M.	

Frances Lake & Exten-
tension of trade—R. Campbell, Clk.
A. Christie, App. Clk.

14. That 300 pieces Goods in 5 Boats manned by 43 men including the Guide, 24 of whom are Red River Men hired for the trip, and 19 men under Contracts as regular Servants who are intended for the District constitute the Current Outfit.

15. That C. F. Lewes take the necessary steps to establish a Post at, or in the neighbourhood of Frances Lake, supposed to be the head waters of Colvile River falling into the Arctic Sea; should the discoveries made in that direction render such a measure advisable.

16. Summer Arrangements—

McKenzies River—Ft. Simpson, 2 men incl. Intr.
Riv're au Liard, 2 do do
Fort Good Hope, 2 do do
Fort Halkett, 2 do do
Fort Norman, 1 do do
Peels River, 8, Summer & Winter.
Frances Lake, 5 do do

17. That C. F. Lewes accompany his Brigade to Portage la Loche Summer 1842; and that the Commissioned Gentlemen, Clerks and Postmasters remain inland and be appointed as he may consider expedient.

18. That Charles Brisbois, Clerk, be permitted to retire from the service, and accompany the Portage Brigade to Norway House, Summer 1842 for the purpose of embarking in the last Canoe of the Season for Canada.

19. That C. T. Hargrave take the necessary steps to prepare and forward in course of the present Summer, about 250 pieces Goods to Norway House for Outfit 1842; the same to be transported thence to Portage la Loche in 4 Boats to start on or before the 15th June 1842 manned by a Guide and 28 men, of whom 23 including the Guide are to be engaged for the trip at Red River; and 6 Servants under engagements for not less than 3 years to replace any that may retire from the District.

20. Winter Arrangements—

English River—Isle a la Crosse, R. McKenzie, C.F.
Rapid River, An Interpreter.
Green Lake, J. Hodgson, P.M.
Deers Lake, An Interpreter.

21. That 150 pieces Goods in 3 Boats manned by 16 men including the Guide and Indians hired for the Trip from English River constitute the Current Outfit for this District.

22. Summer Arrangements—

English River—Isle a la Crosse, T. Hodgson, P.M., & 2 men.
Rapid River, 1 man.

23. That the usual quantity of dried provisions be provided and forthcoming for the use of the outward and inward bound Crafts Spring and Summer 1842.

24. Winter Arrangements—

Saskatchewan—Edmonton,		J. Rowand, C.F.
		A. E. Petty, App. Clk.
	Carlton,	Patk. Small, Clk.
	R. Mountn. Ho.,	J. E. Harriott, C.T.
		Ptk. McKenzie, App, P.M.
	Ft. Assineboine,	John Rowand, Clk.
	Lesser Slave Lake,	G. McDougall, Clk.
	Fort Pitt,	Henry Fisher, Clk.
	Jasper House,	Colin Frazer, P.M.
	Cumberland,	A. McPherson, Clk.
	Moose Lake,	An Interpreter.

25. That about 550 pieces Goods in 10 Boats manned by 46 Servants belonging to the District constitute the Current Outfit; and that the Crews be made up by ingoing Servants belonging to the Districts of Columbia and New Caledonia.

26. That the following Provisions and other Country Produce be provided by this District and brought to Norway House next season.

12 new Boats.
100 Bales dried meat.
400 Bags Com. Pemican 90 lb. ea.
70 Bags fine Pemican 45 lb. ea.
100 pairs tracking Shoes.
27 Leather Tents.
500 Buffalo Tongues.

27. That 120 Bags Pemican and the usual quantity of Country Produce be deposited at Cumberland House next season for the use of the Brigades passing.

28. That a Boat and 2 men be left at York Factory for the purpose of conveying 12 of the Servants coming from Europe by the Ship, inland, where, it is understood they are to pass the

Winter; and that these 12 men be brought to the Depot next Summer for general distribution.

29. Summer Arrangements—

Saskatchewan—Edmonton, J. E. Harriott, C.T.
John Rowand, Clk & 12 men.
Carlton, Patrick Small, Clk. 7 men.
Ft. Assineboine, An Interpr. & 1 man.
Lesser Slave Lake, G. McDougall, Clk. & 2 men.
Fort Pitt, H. Fisher, Clk. & 4 men.
Jasper House, C. Fraser, P.M. & 1 man.
Cumberland, A. McPherson, Clk. & 2 men

30. Winter Arrangements—

Swan River—Fort Pelly, Wm. Todd C.T.
Fort Ellice, J. R. McKay, P.M.
Manitobah, An Interpreter.
Shoal River, An Interpreter.

31. That about 200 pieces Goods, 3 Boats and 15 voyaging Servants constitute the Outfit for this District; one hundred pieces of these Goods for Fort Pelly, Manitobah and Shoal River; and the remainder to be forwarded partly on freight to Red River Settlement for the trade of Fort Ellice; the crews to be made up to 6 men each by Trippers hired for the voyage.

32. That C. T. Todd take to Norway House next Spring 300 lb. Gum, 30 Bushels Salt and 20 good Leather Tents for distribution; and that he take the necessary steps to provide 300 Bushels Salt for the use of Red River Settlement; deliverable at the north end of Manitobah Portage; the price not to exceed 8/ per Bushel.

33. Summer Arrangements—

Swan River—Fort Pelly, 3 men incl. Interpr.
Fort Ellice, J. R. McKay P.M. & 7 men.
Manitobah, An Interpreter.
Shoal River, A Labourer.

34. Winter Arrangements—

Red River—Fort Garry, D. Finlayson, C.F.
Hector McKenzie, Clk.
Richard Lane, App. Clk.
R. Ballantyne, App. Clk.
Lower Fort, John Black, Clk.
Recorder of Rupert's Land, Adam Thom.

Warden of the Plains, Cuthbert Grant.
Surveyor, George Taylor.

35. That the following supplies be provided at the Colony for exportation to Norway House Summer 1842 made up in sound and transportable packages and purchased at the usual price, viz.:

30 Bushels rough Barley.
12 Cwt. good cured Beef.
30 Cwt. Biscuit.
30 Oak Boards 13 ft. long 7 x 1¼ in.
6 Oak Boards 15 ft. long 8 x 1¼ in.
55 Firkins Butter 56 lb. ea.
10 half Firkins butter 28 lb. ea.
6 Maccarons Butter.
80 lb. Cheese.
13 Kegs Eggs.
6000 Cwt. best Flour.
70 well cured Hams.
50 Bales dried Meat.
400 Bags Com. Pemican.
46 Cwt. salted Pork.
3 Bushels Onions.
200 Portage Straps.
3 Kegs salted Suet.
12 Assortments Garden Seeds.

36. That a Guide and 22 men be engaged for the McKenzies River Transport and the Fall freight from York Factory to Red River at £25 to the Guide, £16 to the Steersman, £14 to the Bowsman and £12 to the Middleman.

37. That the price of Dollars in Red River during the Current Outfit be at the rate of 4/9 per ounce, or 4/1 Sterling per Dollar, and English Coins at the standard value.

38. That the Lake Winnipeg Vessels be laid up at Norway House for the Winter for the purpose of undergoing a thorough repair.

39. That C. F. Finlayson be authorized to renew the Contracts with Red River Carriers for the transport of the Outfit from York Factory to the Settlement for a period of three years at a freight per piece not exceeding the terms of the last Contract.

40. Winter Arrangements—

Lac la Pluie—Fort Frances,		N. Finlayson, C. T.
	Fort Alexander,	Wm. Sinclair, Clk.
	Rat Portage,	D. McKenzie, Clk.
	Lac du Bois Blanc,	Jas. Isbister, P.M.

41. That about 260 pieces Goods with a complement of 12 voyaging Servants constitute the Current Outfit; 140 of these to be taken from York to Norway House in 2 Boats manned by 12 voyaging Servants, the remaining 120 pieces to be transported from York to Norway House on freight, and from Norway House the whole to be transported in 4 Boats manned by 3 men each with the assistance of Indians.

42. That the sum of £300 be paid by draft on the Governor & Committee to Ramsay Crook, Esquire, in consideration of the opposition having been withdrawn from the frontiers of Lake Superior, Lac La Pluie and Red River Districts conformably to the terms of an arrangement entered into between the Hudsons Bay and American Fur Companies; the said amount to be charged to Lac La Pluie Outfit 1840.

As it is found that the Indians of this District will not furnish the requisite quantity of Rice for the use of the Posts unless they be indulged with a small quantity of spirituous Liquor; and as the want of such supplies would necessarily be productive of the most serious privation, it is Resolved

43. That in order to avert such privation, a quantity of Liquor not exceeding 8 Kegs be furnished Lac La Pluie District for the Current Outfit to be given as gratuities to the Indians of Fort Frances, Rat Portage and Lac du Bois Blanc.

44. Summer Arrangements—

Lac la Pluie—	Fort Frances,	3 men incl. Interpr.
	Fort Alexander,	2 men incl. Interpr.
	Rat Portage,	2 " "

45. That Mr. William Sinclair proceed to York Factory by the first conveyance in Spring for the purpose of attending the sale shops; and that C. T. Finlayson make the necessary arrangements of the Clerk & Postmaster remaining Inland.

46. Winter Arrangements—

Norway House—Norway House,		Donald Ross, C.F.
		John Finlayson, App Clk and 7 men.
	Berens River,	R. Cummings, P.M. & 2 men.
	Nelson River,	J. Isbister, P.M. & 2 men.

47. That 2 voyaging Servants belonging to this District assisted by 30 Indians, to be engaged for that purpose be employed to make one trip between Norway House and York-factory with 4 Boats carrying 80 pieces each per trip upwards or 320 pieces in all; 120 pieces of which to form the District Outfit and the remaining 200 pieces Goods on freight.

48. That with the exception of Red River and other Country produce, no supplies of any description be given or sold to servants or Districts at Norway House.

49. That the 6 new hands intended for McKenzie river 1842 be stationed at Norway House during the Winter together with any supernumeraries that can be supplied from York in the fall.

50. Summer Arrangements—

Norway House—Norway House, Donald Ross, C.F.
J. Finlayson, App Clk and 7 men.
Berens River, R. Cummings, P.M. & 1 man.
Nelson River, J. Isbister, P.M. & 1 man.

51. Winter Arrangements—

York Factory—York Factory, James Hargrave, C.T.
Wm. McTavish, Acct.
W. D. Gillespie, Surgn.
G. Hamilton, App. Clk.
R. Wilson, P.M.
A Sloopmaster.
Churchill, R. Harding, Clk.
Severn, An Interpreter.
Oxford House, R. Clouston, App. Clk.
Island Lake, Wm. McKay, P.M.

52. That notwithstanding the appointment of Mr. Clouston to Oxford House, it is understood that he shall be at York during the summer for the purpose of attending to the Fur Store.

53. That 30 men including Mechanics and the crew of the *Frances* Schooner constitute the Winter & Summer Establishment at Y. Factory.

54. That 6 men constitute the Winter and Summer Establishment of Churchill with an Outfit amounting to about 90 pieces Goods and Provisions to be transported from York during the Summer by the *Frances* Schooner.

55. That 60 pieces Goods and Provisions with 3 Servants constitute the Current Outfit for Severn; and that John Cro-

martie, Interpreter, and one of the Servants remain at the Post during the Summer, and the other two proceed to York early in June for the purpose of being employed there during the summer.

56. That Mr. Clouston be directed to employ 4 Boats manned by 32 Indians and a Guide in performing a double trip between the Depot and Norway House, in the transport of Goods & Returns; the lading of each Boat upwards to be 80 and downwards 70 pieces; 5 of which to be left at Oxford, and the remaining 65 pieces per Boat to be deliverable at York Factory.

57. That 75 pieces Goods transported in a Boat manned by 6 Servants and an Indian constitute the Current Outfit for Oxford & Island Lake.

58. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M. & 1 man.
Island Lake, One man.

59. Columbia Arrangements—

Fort Vancouver, J. McLoughlin, C.F.
James Douglas, C.F.
D. McTavish, Clk.
G. T. Allan, Clk.
G. B .Roberts, P.M.
F. Barclay, Surgeon.
D. McLoughlin, App. Clk.
C. Cameron, P.M.
Fort George, J. Birnie, Clk.
Nasqually, Wm. McKintosh, Clk.
Port Langley, J. M. Yale.
Fort Simpson, John Work, C.F.
Angus McDonald, App. Clk.
Fort McLoughlin, Charles Ross, Clk.
Umpqua, J. B'te Gagnon, Intr.
Bonaventura Expedn. D. Manson, C.T.
Snake Expedition & Fort Hall, } F. Ermatinger, Clk. F. Payette, P.M. Angus McDonald, Intr.
Fort Colvile, Arch. McDonald, Intr.
Flat Heads, D. McLean, Clk.
Coutanais, J. McPherson, P.M.
Thompsons River, Archd. McKinley, Clk.
Okanagan, An Interpreter.
Nez Percez, P. C. Pambrun, C.T.

Stikine, Alexr. Anderson, Clk.
R. Finlayson, App. Clk.
Tacou, John Kennedy, Clk. & Surgeon.
J. O'Brien, Clk.
Disposable, Richard Grant, C.T.
J. McLoughlin, Jnr. Clk.
Charles Forrest, P.M.
Wm. Wood, App. Clk.
App. Clk. per Ship.
P. Ogden, Clerk.
A. Lee Lewes, Clerk.
Beaver Steamer, W. H. McNeil, C.T.
J. Carless, Engineer.
Wm. Heath, 1st mate.
C. Newell, 2nd mate.
Ship *Columbia,* C. Humphreys, Master.
A. Lattey,, 1st mate.
G. Barton, 2nd mate.
Cadboro—J. Scarborough, Master.
Wm. Mitchell, 1st Mate.
Cowelitz—Wm. Brotchie, Master.
New Caledonia—Stuarts Lake, P. S. Ogden, C.F.
H. Maxwell, Clerk.
Frazers Lake, Wm. McBean, Clerk.
McLeods Lake, Paul Frazer.
Alexandria, John Tod, C.F.
Chilcotin, W. F. Lane, Clk.
Conollys Lake, J. McKintosh, Clk.
Fort George, Wm. Porteous, App. Clk.
Babines, Wm. Thew, Clk.
Sandwich Islands—Geo. Pelly, Agent.
W. G. Rae, Clk.

60. That C. T. Grant, C. T. Manson and Clerks Allan and Ogden with 50 Servants be forwarded to the Columbia District, and accompany the Saskatchewan Brigade under the charge of C. T. Harriott from the Depot to Edmonton, from thence proceed under the charge of C. T. Manson to Vancouver unless he may receive further instructions from C. F. McLoughlin *en route;* by which he will regulate his movements.

From the want of judgment and foolhardiness of many of our Guides in running Rapids which has already been productive of such melancholy results, in the loss of both lives & property particularly in the Columbia, it is Resolved

61. That no Guide or Steersman be hereafter permitted to run any rapid or Fall where the least danger is to be apprehended; and that any contravention or evasion of this Resolution be visited with the most severe punishment which the Governor and Council can legally inflict; and that no Gentlemen in charge of Brigades be allowed to absent themselves from such charge until they reach their destination.

62. That all Gentlemen in charge of Districts, Posts and Brigades be directed to give publicity to the foregoing Resolution.

63. That C. F. Ross be directed to take the necessary steps to provide and forward 3000 prime Otters by the Columbia Brigade this season for the meeting of our Contract with the Russian American Coy., and that C. T. Harriott and C. T. Manson be particularly enjoined to take the most watchful care of those Skins from soil or damage of any kind during the voyage.

In order to ensure the due fulfilment of our Contract with the Russian American Company, it is Resolved

64. That C. F. Ross be authorized to order from the Posts in the Albany District 800 prime Otters annually, to be brought to Fort Alexander by men or Indians attached to these Posts, sufficiently early each Spring to be brought to Norway House by the outcoming Lac la Pluie Brigade.

65. That C. F. Hargrave take measures to get conveyed to Y. Factory next Spring all the prime Otters procured at Severn during the Current Outfit for the purpose of being sent to the Columbia by the Saskatchewan Brigade.

66. That an allowance of £100 with the usual supplies of Tea, Sugar &c., be made to the Catholic Mission of Red River Settlement for the current Outfit.

67. That an allowance of £100 be made to Dr. Bunn for medical attendance on the Companys Establishment at Red River, the retired Servants who cannot afford to pay for such and other pauper Settlers for the Current Outfit.

68. That an allowance of £100 be made to Mr. John McCallum in aid of the boarding Schools under his management for the Current Outfit.

69. That the usual contribution of £100 per annum towards maintaining the Police Establishment of Red River be continued.

70. That Wm. McKay, P.M., be furnished with 3 or 4 Indians, and the necessary implements for the improvement

during the Summer of the Portages and River communications between Y. Factory and Norway House.

71. That all Furs killed by Commissioned Gentlemen, Clerks and Servants and their families be considered the property of the Company, and be paid for at the Indian standard of the District; and that no Furs of any description, either made up or not made up shall be sent or taken out of the Country by any Individual on any pretence whatsoever under a penalty of Fifty Pounds Sterling. That Furs purchased on private account for personal or family use in the Country be charged at 10 per cent on the last nett average sale prices.

72. That throughout the Country, except at Red River, none but Spring Rats shall hereafter be traded, and that 12 such Rats be considered equal to a Made Beaver at all the Posts in the Northern and Southern Departments.

73. That transfers to Districts and Posts from Fort Garry shop be at the regular sale Tariff to Servants & Settlers.

74. That all unsaleable Goods remaining on hand at the Depots of York and Norway House, Red River Shop and Inland Districts be transferred and sold at fixed prices determined on by the Governor & Council as per accompanying list; and that all damaged Goods be disposed of at whatever prices they may fetch.

In consequence of the great depreciation in the price of Musquash, it is Resolved

75. That only half the Musquash retained at York last season together with the McKenzies River returns of that Article for the past Outfit be shipped for Europe this fall.

76. That the usual Winter Packet between Moose and York factory be discontinued; and that the papers necessary for settling the Accounts between the Northern and Southern Departments be forwarded from York for the purpose of being sent on by the Sault St. Marys about the 20th January, and from Moose in sufficient time to be at Michipicoton on the 1st February.

77. That the Gentlemen in charge of Lake Superior Department be instructed to forward a Packet from the Sault St. Marys to Red River on the 1st February with all Letters and Papers that may be collected at the Sault or elsewhere within his charge previous to that date, and that no other Express be forwarded unless rendered necessary by very important circumstances. That a Packet for England be sent from Red River on the 1st November via St. Peters, if anything parti-

cular occurs; and that a duplicate Dispatch together with any subsequent information that may be considered worthy of notice, be forwarded by Lac La Pluie on the 20th January.

78. That all Gentlemen superintending Districts be requested to give directions that the Beaver and Bear Skins procured in their respective Districts be well beaten and dusted previous to their being packed; to instruct the Indians and Hunters to remove the genitals of the Male Martens and to see that no Beaver or prime Bear Skins be used as wrappers or covers for Packs in future.

79. That the amount of Requisition from England for Shipment 1842 do not exceed the sum of £15000.

80. That the following Servants be engaged for the Northern Department on 5 years' Contracts, viz.:

From Europe

2	Blacksmiths	@ from	£25	to £30	per anm.
3	Boatbuilders	"	25	" 30	"
4	Sloopers	"	20		
11	Labourers	"	16		
20					

From Canada on 5 years Contracts

40 Labourers at Prix du Poste

From Red River on 3 years Contracts

20 Labourers at Prix du Poste

To prevent a recurrence found of late years in the Depot Fur Packing Accounts, it is Resolved

81. That a Commissioned Gentleman or Clerk of correct habits of business be intrusted with the management of that branch of the Depot duties hereafter, who will check the accounts of his subordinates by passing every Skin through his own hands, and that W. F. Tolmie be appointed to that duty this Summer at York Factory.

82. That half the wages of all supernumerary Servants, except Invalids, be hereafter charged to the Depot or District where they may Winter; and the remaining half to the general Expenses of the Department.

83. That Chief Factors Finlayson and Ross and Chief Trader Hargrave take the necessary steps for carrying into effect, the Governor and Committee's wishes in regard to the

improvement of the roads on the Portages and Tracking Grounds between York and Norway House.

84. That the different Districts be supplied at York for the Current Outfit agreeably to a scheme of distribution approved by the Govr. and Council, and forwarded to the Depot; except such Articles as may be required for the repairs of the Lake Winnipeg Vessels at Norway House.

85. That a permanent Benefit Fund be established in aid of disabled, aged and retired Servants of the Honble. Hudson Bay Company, whose means may be inadequate for their support; and that the following scale of contributions be adopted throughout the Service to commence on the 1st June 1841, and to be continued annually, viz.:

On all salaries of £20 and under..	4/
Between £20 and £30..	5/
30 " 40..	6/
40 " 50..	7/
50 " 60..	8/
60 " 70..	9/
70 " 80..	10/
80 " 90..	11/
90 " 100..	12/

and so on progressively: 1/ for every £10 of advanced salary.

In order to remove any misapprehension that may exist as to the footing on which the Gentlemen connected with the Wesleyan Missionary Society are intended to be placed at the Company's Establishments, it is Resolved

86. That Board and Lodging be afforded to the different Missionaries at the Establishments at which they are stationed in like manner as is provided for Commissioned Gentlemen in the Honble. Company's Service. If single, to eat at the public mess table where the Gentleman in charge of the Establishment presides, or if a family man, to live apart in a House to be provided specially for the accommodation of the Missionary and his family; each Missionary to be provided with the like allowances as are given to Commissioned Gentlemen in the Service; paying for such articles as he may require from the shops or Stores as are usually charged to the private accounts of Commissioned Gentlemen. And the services of the Company's Interpreters to be available to the Missionary in communication with the natives. That passages in the Company's Craft be afforded from one part of the Country to another, and when necessary to provide them with

a special conveyance, that conveyance to be a half sized canoe manned 3 persons. The superintendent only to be provided with the means of conveyance for Winter travelling.

87. That a place of public worship be erected at the Indian village in the vicinity of Norway House for the Wesleyan Mission; the dimensions of which to be 40 feet in length by 30 feet in width with a School house of 30 ft by 24 and a residence for Mr. Jacobs the Schoolmaster; and that accommodations be provided for the Rev. Mr. Evans within the Establishment at Norway House.

88. That a Commissioned Gentleman's allowance be forwarded from York Factory to each of the undermentioned Wesleyan Missionaries, viz.:

Mr. Evans at Norway House.
" Jacobs do
" Mason at Lac La Pluie.
" Rundle at Edmonton.

89. That the Engagements of the undermentioned Clerks and Postmasters be renewed for the term and at the salary affixed to their names respectively.

3 years from the 1st June, 1840:—

Robert Campbell,	Clerk	£ 75
George Deschambeault	do	100
Francis Ermatinger	do	100
Paul Frazer	do	100
Wm. McBean	do	75
Donald McKenzie	do	100
Archd. McKinlay	do	100
Charles Ross	do	100
John Rowand, Jnr.	do	75
William Sinclair	do	100
Peter Ogden	do	50
Charles Forrest,	Postmaster	50
James Isbister	do	40
John Isbister	do	40
G. B. Roberts	do	60
William Shaw	do	40

3 years from 1st June, 1841:—

G. T. Allan,	Clerk	£ 100
James Bunce	do	100
Francis Butcher	do	100
Henry Fisher	do	100

John Kennedy, Surgeon & Clk.			150
W. F. Lane	do		100
Hector McKenzie	do		100
Andrew McPherson	do		135
Dugald Mactavish	do		100
W. G. Rae	do		100
John O'Brien	do		75
Patrick Small	do		100
James M. Yale	do		100
Colin Fraser, Postmaster			40
Wm. McKay	do		50
Robert Wilson	do		40

3 years from 1st June, 1842:—

Alexander Anderson, Clerk		£	100
Robert Harding	do		100
George McDougall	do		100 per an.
John McKintosh	do		100
Dugald McLean	do		75
John McLoughlin, Jnr.	do		100
John Finlayson	do		75
William Porteous	do		60
Angus McDonald	do		75
William Wood	do		60
Robert Cummings, Postmaster			50
Thomas Hodgson	do		40
Adam McBeath	do		50
J. R. McKay	do		60

From 1st June, 1841:—

P. C. Pambrun Jnr.	App. P. Mr.	5	years @	£20
William Todd Jnr.	do	5	do	20
John Garrioch, Intr.	do	3	do	30

The impoverishment of the Country in the article of Beaver is increasing to such an alarming extent that it becomes necessary to take effectual measures for providing an immediate remedy; to that end it is Resolved

90. That the Gentlemen in charge of Districts and Posts be strictly enjoined to discourage the Hunting of Beaver by every means in their power; and that not more than half of the number collected Outfit 1839 be traded during the Current and two ensuing Outfits at the undermentioned Districts and Posts, viz:

NORTHERN DEPARTMENT.

Athabasca	Fort Chippewyan.
	Dunvegan.
	Vermilion.
	Great Slave Lake.
McKenzies River	Fort Simpson.
	Fort du Liard.
	Fort Good Hope.
	Fort Norman.
English River	Isle a la Crosse.
	Green Lake.
	Deers Lake.
	Rapid River.
Saskatchewan	Fort Assineboine.
	Jaspers House.
	Lesser Slave Lake.
	Cumberland.
	Moose Lake.
Swan River	Shoal River.
Norway House	Norway House.
	Nelson River.
York Factory	York Factory.
	Churchill.
	Severn.
	Oxford House.
	Island Lake.

SOUTHERN DEPARTMENT.

Albany	Albany Factory.
	Martins Falls.
	Osnaburg.
	Lac Seul.
Moose	Moose Factory.
Rupert's River	Rupert's House.
	Big River.

and as a further remedy for the evil; if it be found that Gentlemen disregard this instruction as they have done many others issued from time to time for the same object, it is Resolved

91. That the Governors and Committee be respectfully advised to give notice of retirement from the Service to such Gentlemen as may not give effect to the spirit and letter of the Resolutions now passed for the preservation of Beaver. In order to encourage the Indians to greater exertions in hunt-

ing other Furs, and that they may not suffer any privation in consequence of the proposed restrictions, it is Resolved

92. That all Indians at Posts where this restriction exists and who do not kill Beaver be paid in Goods the value of 10 Skins of Made Beaver for every 9 Skins in small Furs they trade in course of the year.

93. That all Servants who are or who may hereafter be received into the Service at Wages exceeding £17 Sterg. per anm. or Prix du Poste be charged for all purchases made in his country at an advance of 50 per Cent on the usual sale Tariff to Servants, Summer and Winter.

In furtherance of the important object of discontinuing the use of spirituous Liquor throughout the Country where it can be done with safety, it is Resolved

94. That no Liquor be given to the Indians of the following Posts, viz.: York Factory, Churchill and Sevèrn; and that in lieu of their usual presents in that Article, quantities of Provisions, Ammunition and Tobacco of equal value be presented to the Indians of those Posts.

In order to simplify the business of York Factory and to ascertain more correctly the result of each branch of the business thereof, it is Resolved

95. That in future the accounts of the Indian Shop or Fur trade, and the Depot business be kept separate and distinct.

96. That dressed Leather and Parchment be supplied the Southern Department as follows: to be packed and Invoiced separately at York Factory and shipped for England.

1500	Dressed Moose and Red Deer Skins.	@5/ 6.
100	" Reindeer do	" 2/ 6.
200	Parchment Moose and Red Deer Skins. .	" 3/ 6.
500	" Reindeer do	" 2/

97. That all purchases made by Wesleyan Missionaries from the Company's Shops or Stores be charged at the Tariff used for Sales to Servants.

98. That in valuing the Returns of all Districts throughout the Northern, Southern and Montreal Departments, the annexed average Price List be adopted.

In order the more accurately to ascertain the result of the arrangement with the Russian American Fur Company under the provisions of the Agreement of February 1839 and of any other transaction with that association, it is Resolved

99. That all such transactions be considered as forming parts of the operations of a District, in like manner as New Caledonia or any other District in the Columbia Department and be styled "Russian American Transactions."

100. That an Indent for the supply for Red River Settlement from Europe be prepared distinctly from the Northern Department General Indent; the former to be made up in transportable packages under the mark of "R. R. S." agreeably to the notes appended to the Indent. As many of those Goods to be forwarded after the arrival of the Ship in the fall of the year as possible.

101. That Resolutions 88, 91, 92, 95, 98 and 101 of Council June 1837 be considered as forming part of the Standing Rules and Regulations of the Service and be added thereto.

102. That this Council do now adjourn.

(Sigd) GEORGE SIMPSON, Governor.
JOHN ROWAND, C. F.
ALLAN McDONELL, C.F.
DUNCAN FINLAYSON, C. F.
DONALD ROSS, C.F.
WILLIAM TODD, C.T.
NICOL FINLAYSON, C.T.
GEORGE GLADMAN, C.T.

Average Price List for Valuing Returns of Trade, 1841.

Average Price List for valuing Returns of Trade, for the Northern, Southern and Montreal Departments, adopted by Resolution No. 98 of Council of 1841.

Badgers	Skin	1/7
Bears, Black		25/3
Brown		71/
Grey		35/6
White		20/
Beaver, large		32/
small		15/8
coating	lb.	13/
Castoreum	"	22/3
Feathers, Goose	"	1/2
Partridge	"	/10
Fishers	Skin	10/6

Foxes, Silver	98/
Cross	19/
Red	5/6
White	7/3
Blue	9/6
Kitt	2/3
Isinglass ..lb.	6/
Ivory .."	1/9
Lynx Skin	9/6
Martens	10/4
Minks	2/3
Musquash	/6
Oil, Train ..Ton	567/
Otters, Land ..Skin	20/
Sea	144/4
Quills, Goose per 1000	35/
Swan " "	90/
Raccoons ..Skin	2/4
Swans "	4/
Wolves	5/6
Wolverines	5/9
Bear's Grease lb.	/9
Buffalo, Robes ..Each	10/
, Skins dressed "	5/
, parchments	5/
Deerskins, Elk and Red dressd	7/6
, do parchment	5/
, Rein, dressed	3/
, " parchment	3/
Ermines ..Skin	3/
Hares "	/3
Otter Tails (Sea Otter) ea	3/
Panther ..Skin	2/6
Seal (Fur) "	4/
Squirrels "	/1
Swan Pinions ..ea.	/3
Tallow ..lb.	/4½
Tongues, Buffalo ..ea.	/9
Tongues, Reindeer "	/6
Whalebone ..Lb.	/6
Wool."	/6

Minutes of Council 1842.

Minutes of a temporary Council, held at Norway House, Northern Department of Rupert's Land, which commenced on the 21st June, 1842, for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of the said Department, and in order to investigate the result of the Trade of last year, conformably to the provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudson's Bay, bearing date the 6th June, 1834, at which the following members were present, viz:—

Duncan Finlayson, Chief Factor, President.
Roderick McKenzie, do
Donald Ross, do
J. E. Harriott, Chief Trader.
William Todd, do
George Gladman, do

Resolved 1. That the rotations of furlough for the current outfit, 1842, be in favor of Chief Factors John Rowand, J. Lee Lewes, and Roderick McKenzie, with Chief Traders W. H. McNeil and George Barnstone.

2. That Chief Factors John Rowand and Roderick McKenzie, and Chief Traders W. H. McNeil and George Barnstone having given no intimation of their intention to avail themselves of their rotations this season, their services be considered disposable for the current outfit.

3. That Chief Factor Lewes cannot avail himself of his rotation of furlough for the current outfit; such being contrary to the tenor of the 4th Resolution of last year's Council, which declares that no commissioned officer shall be entitled to furlough until the expiration of 7 years after his last furlough or leave of absence.

4. That leave of absence for the current outfit be afforded to Chief Factors John Charles, Joseph Beioley, William Conolly, Allan McDonell, and P. W. Dease, with Chief Traders Thomas McMurray and John McLean.

5. That the rotations of furlough for the ensuing year, Outfit 1843, be considered in favour of Chief Factors Duncan Finlayson and P. S. Ogden, and Chief Traders John Bell, Thomas Corcoran and John McLean.

In order to prevent any difficulties or misunderstandings hereafter in regard to the rotation of Furlough, it is Resolved

6. That no Commissioned Gentleman shall be entitled to Furlough until the expiration of 7 years after his last Furlough or leave of absence.

7. That the following appointments take place:—

Districts.	*Chief Factors.*	*Chief Traders.*
Athabasca		C. Campbell.
McKenzie's River	J. Lee Lewes	Alexr. Fisher.
		John Bell.
English River	R. McKenzie	
Saskatchewan	J. Rowand	J. E. Harriott.
Swan River		William Todd.
Red River	D. Finlayson	
Lac La Pluie		N. Finlayson.
Norway House	Donald Ross	
York Factory		J. Hargrave.
		Geo. Gladman.
Columbia	J. McLoughlin	John Work.
	J. Douglas	Richard Grant.
	Arch'd McDonald	Donald Manson.
		W. H. McNeil.
		Wm. Glen Rae.
		Fras. Ermatinger.
New Caledonia	P. S. Ogden	John Tod.

8. Winter Arrangements—

Athabasca—Fort Chippewyan, Colin Campbell, C.T.
Wm. McMurray Apprentice
Postmaster.
Dunvegan, Francis Butcher, Clerk.
Vermilion, William Shaw, P.M.
Great Slave Lake, George Deschambeault, Clerk.

9. That 3 boats and 22 men, including the Guide, and 190 pieces of goods constitute the Current Outfit for this district.

10. That C. T. Campbell accompany his Brigade to Norway House, summer 1843, for the purpose of attending to the business of the district; and that the clerks and postmasters remain inland and be appointed as he may consider expedient.

11. Summer Arrangements—

Athabasca—Fort Chippewyan, 3 men including Interpreter.
Dunvegan 3 do
Vermilion 2 do
Great Slave Lake 2 do

12. That C. T. Hargrave take the necessary steps to prepare and forward to Norway House about 190 pieces of goods for Athabasca Outfit 1843, by Indians or Red River Carriers.

13. That a boat be furnished by Athabasca District and conveyed to the Rocky Mountain Portage early in the Fall of 1843 for the transport of Leather &c. for New Caledonia; and that as Chief Factor Ogden has intimated that no leather or Country Produce will be required for that district that none be sent thither for the current Outfit.

The encouragement afforded by Athabasca and McKenzie's River Districts for the assembling of Indians in large bands at Portage La Loche being found exceedingly injurious to the interests of English River District and likely to become dangerous to the passing brigades, it is Resolved

14. That the Gentlemen in Charge of Brigades belonging to those Districts be strictly prohibited from affording such encouragement in future, either by payment on public account, or by private payment on account of the people for assistance in transporting the Outfit or Returns on that Portage.

15. Winter Arrangements—

McKenzie's River—Fort Simpson, J. Lee Lewes, C.F.
James Pruden, Apprentice
P.M.
Riviere aux Liards, Alexr. Christie, Clk.
Fort Good Hope, Alexander Fisher, C.T.
Fort Halkett, William Hardisty, Ap.P.M.
Fort Norman, Adam McBeath, P.M.
Peel's River, John Bell, C.T.
Frances Lake, Robert Campbell, Clerk.
P. C. Pambrun, Ann.P.M.

16. That 300 pieces goods in 5 boats, manned by 36 men, including the Guide, 30 of whom are Red River men hired for the trip and 6 men under contracts as regular servants who are intended for the district constitute the current outfit.

17. That C. F. Lewes be directed to prosecute and extend the trade in the newly discovered countries of the West, as far as the means at his disposal may permit.

18. Summer Arrangements—

McKenzie's River—Fort Simpson, 2 men including Interpreter
Riviere au Liard, 2 do
Fort Good Hope, 2 do
Fort Halkett
Fort Norman 1 do

Peel's River, 8 men Summer & Winter
Frances Lake 5 " do

19. That C. F. Lewes accompany his Brigade to Portage La Loche, summer 1843, and that the Commissioned Gentlemen, Clerks and Postmasters attached to the District remain inland and be appointed as he may consider expedient.

20. That Hector McKenzie, Apprentice Postmaster, be permitted to retire from the Service, Summer, 1843, and that he be furnished with a passage to Red River Settlement.

21. That C. T. Hargrave be directed to prepare and forward in the course of the present summer, about 250 pieces of goods to Norway House for Outfit 1843; the same to be transported thence to Portage La Loche in 4 boats, to start on or before the 15th June, 1843, manned by a Guide and 28 men, of whom 23, including the Guide, to be engaged for the trip in Red River, and 6 servants, under engagements of not less than 3 years, to replace any that may retire from the District.

22. Winter Arrangements—

English River—Ile a la Crosse, R. McKenzie C.F.
Rapid River, An Interpreter
Green Lake, Thomas Hodgson, P.M.
Deer's Lake, An Interpreter.

23. That 120 pieces Goods, in 2 boats manned by 15 men, including the Guide, and Indians hired for the trip in English River, constitute the Current Outfit for this District.

24. Summer Arrangements—

English River—Ile a la Crosse, T. Hodgson, P.M. & 2 men.
Rapid River, 1 Man.

25. That the usual quantity of dried provisions be provided and forthcoming for the use of the inward and outward bound Brigades, Spring and Summer, 1843.

26. Winter Arrangements—

Saskatchewan—Edmonton, J. Rowand, C.F.
P. Ogden, Clerk
Carlton, Patrick Small, Clerk
Rocky Mountain House, J. E. Harriott, C.T.
Fort Pitt, H. Fisher, Clerk
Jasper's House, Colin Fraser, P.M.
Lesser Slave Lake, G. McDougall, Clerk.
Cumberland, J. Rowand, Jr. Clerk.
Moose Lake, An Interpreter.

27. That about 450 pieces goods, in 9 boats manned by 45 servants belonging to the District, constitute the Current Outfit, and that the crews be made up by ingoing servants belonging to Columbia and New Caledonia Districts.

28. That the following provisions and other Country Produce be provided by this District and brought to Norway House next summer:—

12 new Boats,
500 prs. tracking Shoes.
100 Bales dried meat.
30 good leather Tents.
300 bags Pemican, each 90 lbs.
70 bags fine Pemican, each 45 lbs.

29. That 130 bags Pemican and the usual quantity of Country Produce be deposited at Cumberland House next season, for the use of the Brigades passing.

30. That a boat and 3 men be left at York Factory for the purpose of conveying 6 labourers and a boat carpenter, coming by the ship, inland; the carpenter to be attached to the district and the labourers to be brought to the Depot next spring.

31. Summer Arrangements—

Saskatchewan—Edmonton, J. E. Harriott, C.T.
P. Ogden, Clerk, and 12 men
Carlton, P. Small, Clerk and 7 men.
Lesser Slave Lake, G. McDougall, Clerk and 2 men
Fort Pitt, H. Fisher, Clerk & 4 men
Jasper's House, Colin Fraser, P.M., & 1 man
Cumberland, J. Rowand, Jr., Clk., & 2 men.

32. That C. F. Rowand be authorized to make the Summer and Winter Arrangements of the Commissioned Gentlemen, Clerks, and Postmasters as he may consider expedient.

33. Winter Arrangements—

Swan River—Fort Pelly, William Todd, C. T.
Fort Ellice, J. R. McKay, P.M.
Manitobah, An Interpreter
Shoal River, An Interpreter

34. That about 180 pieces goods, in 3 boats and 15 voyaging servants constitute the Outfit for this District; 100 pieces of these goods for Fort Pelly, Manitobah and Shoal River, and the remainder to be forwarded partly on freight to Red River

Settlement for the trade of Fort Ellice; the crews of the boats to be made up to 6 men each by Trippers hired for the voyage.

35. That C. T. Todd take to Norway House next spring 300 lbs. of gum, 20 good leather tents, 30 bushels salt, 15 bags fine Pemican each 45 lbs, and 15 bales dried meat for distribution; and that he take the necessary steps to provide 200 bushels salt for the use of Red River Settlement, deliverable at the north end of Manitobah Portage, the price not to exceed 8/ (shillings) per bushel.

36. Summer Arrangements—

Swan River—Fort Pelly, 3 men, including interpreter
Fort Ellice, J. R. McKay, P.M., and 7 men
Manitobah, An Interpreter
Shoal River, A Labourer

37. Winter Arrangements—

Red River—Fort Garry, Duncan Finlayson, C.F.
Richard Lane, Apprentice Clerk.
Lower Fort, John Black, Clerk
Recorder of Rupert's Land, Adam Thom.
Warden of the Plains, Cuthbert Grant.
Surveyor, George Taylor.

38. That the following supplies be provided at the Colony for exportation to Norway House, Summer 1843, made up in sound and transportable packages, and purchased at the usual prices, viz:—

35 bushels rough Barley
3 " French Beans
12 cwt good cured Beef
30 " Biscuit
34 oak Boards, 13 ft. 7 x ¾ in
8 Do 15 " 8 x ¾ in
12 Do 10 " 10 x 2 in
60 firkins Butter each 56 lbs
10 Half " Do 28 "
6 Maccarons Do
80 lbs Cheese
10 bushels Indian Corn
15 kegs Eggs
60 Hams
50 bales dried Meat
500 bags common Pemican
45 cwt. salt Pork
3 bushels Onions
200 Portage Straps
12 assmts. Garden Seeds
3 Kegs salted Suet
400 cwt best dried Flour
1st & 2nd Quality
200 cwt best dried Flour
1st Quality

5000 white oak Staves for 8 gal. kegs, 22 in by $3\frac{1}{2}$ x $\frac{3}{4}$ in
1000 " " Headings for 8 gal. kegs 26 in by 4 x $\frac{3}{4}$ in
600 " " Staves for 34 gal kegs, 30 in by $5\frac{1}{2}$ x $\frac{7}{8}$ths in
250 " " Headings for 24 gal kegs, 20 in by $6\frac{1}{2}$ x 1 in

39. That Red River Produce of every description be valued on Inventory at Norway House and York Factory at prime cost with 33-1/3rd per cent. thereon, to cover freight, packages and other charges at Red River; and when sold to Servants the price to be $12\frac{1}{2}$ per cent on Inventory Tariff.

40. That a Guide and 22 men be engaged, for McKenzie's River Transport and the Fall Freight from York Factory to Red River, at £25 to the Guide, £16 to the Steersmen, £14 to the Bowsmen and £12 to the Middlemen.

41. That the price of Dollars in Red River during the current Outfit be at the rate of 4/9 per oz. or 4/1 Sterling per Dollar, and English coins at the standard value.

42. That the new vessel built at Norway House be laid up for the winter at Red River, and that another vessel of the same dimensions be built next winter at the latter place, if practicable.

43. Winter Arrangements—

Lac La Pluie—Fort Frances, Nichol Finlayson, C.T.
Fort Alexander, William Sinclair, Clerk
Rat Portage, D. McKenzie, Clerk
Lac du Bois Blanc, James Isbister, P.M.

44. That about 240 pieces goods, with a complement of 12 voyaging servants, constitute the Current Outfit; 140 pieces of these to be taken from York to Norway House in 2 boats manned by 12 voyaging servants, and the remaining 100 pieces to be transported to Norway House on freight, and from Norway House the whole to be transported in 4 boats, manned by 3 men each with the assistance of Indians. .

45. That the sum of £300 sterling be paid, by draft on the Governor and Committee, to Ramsay Crooks, Esq., in consideration of the opposition having been removed from the frontiers of Lake Superior, Lac La Pluie and Red River Districts, conformably to the terms of an agreement entered into between the Hudson's Bay Company and the American Fur Company; the said amount to be charged to Lac La Pluie, Outfit 1841.

46. That 8 kegs spirits be furnished Lac La Pluie District for the Current Outfit, to be given as Gratuities to the Indians of Fort Frances, Rat Portage and Lac du Bois Blanc.

47. Summer Arrangements—

Lac la Pluie—Fort Frances, 3 men including Interpreter.
Fort Alexander, 2 men including Interpreter.
Rat Portage, 2 men including Interpreter.

48. That it be discretionary with C. T. Finlayson to make the necessary Summer Appointments of the Clerks and Postmasters remaining inland.

49. Winter Arrangements—

Norway House—Norway House, Donald Ross, C.F.
R. M. Ballantyne, Appce.
Clerk and 7 men
Berens River, R. Cummings, P.M. & 2 men
Nelson River, J. Isbister, P.M. & 2 men.

50. That 3 voyaging servants belonging to the District assisted by 30 Indians, to be engaged for that purpose, be employed to make two trips to York Factory with 4 boats carrying 80 pieces each per trip upwards; and that 110 pieces of goods constitute the Outfit for this District.

51. That, with the exception of Red River or other Country Produce, no supplies of any description are to be given or sold to servants or Districts at Norway House.

52. That the 6 new hands intended for McKenzie's River consist of 1 Boat Carpenter, 1 Blacksmith and 4 Labourers, and be stationed at Norway House during the winter, together with any supernumeraries that can be supplied from York in the fall. Resolved

53. Summer Arrangements—

Norway House—Norway House, Donald Ross, C.F.
Robert Michael Ballantyne, Apprentice Clerk and 7 men.
Berens River, R. Cummings, P.M. and 1 man
Nelson River, J. Isbister, P.M. and 1 man.

54. Winter Arrangements—

York Factory—York Factory, J. Hargrave, C.T.
Wm. McTavish, Accountant
H. McKenzie, Clerk
W. D. Gillespie, Surgeon
R. Clouston, Clerk
G. Hamilton, Apprentice Clerk
Robert Wilson, P.M.
Churchill, Robert Harding, Clerk.
Severn, An Interpreter.

Oxford House, George Gladman, C.T.
Island Lake, Wm. McKay, P.M.

55. That notwithstanding the appointment of Mr. Gladman to Oxford House it is understood that he shall be at York Factory during the summer for the purpose of attending the Fur Stores.

56. That 30 men, including Mechanics, and the crew of the Schooner *Frances,* constitute the Winter and Summer Establishment of York Factory.

57. That 6 men constitute the Summer and Winter Establishment of Churchill, with an Outfit amounting to about 90 pieces Goods & Provisions, to be transported from York Factory during the summer by the *Frances* schooner.

58. That 60 pieces Goods with 3 Servants constitute the Current Outfit of Severn. That J. Cromartie, Interpreter, and one servant remain at the post during the summer, unless otherwise directed by C. T. Hargrave, and that the other two proceed to York Factory early in June, for the purpose of being employed there during the Summer.

59. That Mr. Gladman be directed to employ 4 Boats, manned by 32 Indians and a Guide, in performing a double trip between York Factory and Norway House in the transport of Returns—the lading of each boat upwards to be 80 pieces and 65 downwards, 5 of which to be left at Oxford and the remaining 60 pieces per boat to be deliverable at York Factory.

60. That 75 pieces Goods, transported in a boat manned by 6 servants and 1 Indian, constitute the current outfit for Oxford and Island Lake outposts.

61. Summer Arrangements—

Island Lake—Oxford House, Wm. McKay, P.M., and 1 man.
Island Lake, 1 man.

62. Columbia Arrangements—

Fort Vancouver—J. McLoughlin, C.F.
James Douglas, C.F.
Alexander Anderson, Clerk.
Dougald McTavish, Clerk.
Forbes Barclay, Surgeon.
D. McLoughlin, Apprentice Clerk.
G. B. Roberts, P.M.
A. Lee Lewes, Clerk.
D. Harvey, Clerk & Farmer.

Fort George— James Birnie, Clerk.

Nasqually—Angus McDonald, Clerk.
Fort Langley—J. M. Yale, Clerk.
Fort Simpson—John Work, C.T.
Roderick Finlayson, Apprentice Clerk.
Fort McLoughlin—Charles Ross, Clerk.
Umpqua—Jean Baptiste Ganier. Interpreter.
Bonaventura Expedition—Francis Ermatinger, C.T.
Snake Expedition & Fort Hall—Richard Grant, C.T.
Angus McDonald, Interpreter.
François Payette, Clerk.
Fort Colvile—Archibald McDonald, C.F.
Flat Heads—J. McPherson, P.M.
Coutonais—Patrick McKenzie, App. P.M.
Thompson's River—Donald Manson, C.T.
D. Cameron, P.M.
Okanagan—An Interpreter.
Nez Percez—Archibald McKinley, Clerk.
Stikine—J. McLoughlin, Clerk.
Takoo—J. Kennedy, Clerk & Surgeon.
Disposable—Charles Forrest, P.M.
William Todd, App. P.M.
Beaver steamer—W. H. McNeil, C.T.
J. Carless, Engineer.
Wm. Heath, 1st Mate.
Vancouver—A. Duncan.
Cadboro—J. Scarborough, Master.
Wm. Mitchell, Mate.
Cowlitz—Wm. Brotchie, Master.
Charles Dodd, 1st Mate.
Edward Heald, 2nd Mate.
Sandwich Islands—George Pelly, Agent.
George Allan, Clerk.
California—W. Glen Rae, C.T.
New Caledonia—Stuart's Lake, P. S. Ogden, C.F.
H. Maxwell, Clerk.
Fraser's Lake, Wm. F. Lane, Clerk.
McLeod's Lake, Paul Fraser, Clerk.
Alexandria, John Tod, C.T.
Chilcotin, D. McLean, Clerk.
Conolly's Lake, Wm. McBean, Clerk.
Fort George, Wm. Porteous, Clerk.
Babines, John McKintosh, Clerk.

63. That it be discretionary with C. P. McLoughlin to make the appointments of the Commissioned Gentlemen, Clerks and Postmasters in the Columbia Department which is understood to comprehend the Columbia proper, the N. W. Coast, New Caledonia, Sandwich Islands, and the Marine Department —it being understood that C. F. Ogden make the appointments of the Gentlemen in New Caledonia as he may consider expedient.

64. That Alexander Anderson, Clerk, and William Todd, Apprentice P.M. with 20 servants be forwarded to the Columbia District, and accompany the Saskatchewan Brigade under the charge of C. T. Harriott from the Depot (York Factory) to Edmonton, from thence proceed under the charge of Mr. Anderson to Vancouver, unless he may receive further instructions from C. F. McLoughlin *en route,* by which he will regulate his movements.

From the want of judgment and the foolhardiness of many of the Guides in running rapids, which have already been productive of such melancholy results, in the loss of both lives and proerpty especially in the Columbia, it is Resolved

65. That no Guide nor Steersman be hereafter permitted to run any rapid or fall, where the least danger is to be apprehended; and that any contravention or evasion of this Resolution be visited with the most severe punishment which the Governor and Council can legally inflict; and that Gentlemen in Charge of Brigades be not allowed to absent themselves from such charge until they reach their destination.

66. That all Gentlemen in Charge of Districts, Posts and Brigades be directed to give publicity to the foregoing Resolution.

67. That in accordance with the 23rd paragraph of Governor Sir George Simpson's dispatch to the Governor and Committee, dated Fort Vancouver 25th November, 1841, Chief Factor McLoughlin take the necessary steps for abandoning the Posts of Fort McLoughlin and Takoo in Summer 1843, and the Posts of Stikine in Summer 1844; and for fitting the *Beaver* Steamer to secure the trade usually collected at these abandoned Establishments.

It being considered in many points of view expedient to form a Depot at the Southern end of Vancouver's Island, it is Resolved

68. That an eligible site for such a Depot be selected, and that measures be adopted for forming this Establishment with the least possible delay.

69. That C. F. Ross be directed to take the necessary steps to provide and forward 3000 prime Otters and 150 prime Fishers by the Columbia Brigade for the purpose of meeting our contract with the Russian American Fur Company; and that C. T. Harriott and Mr. Anderson be particularly enjoined to take the most watchful care of those Skins from soil or damage of any kind during the Voyage.

70. That C. F. Ross be further directed to concert measures with Gentlemen in the Southern Department to procure from the Albany District the requisite number of Otters to complete the Contract with the Russian American Company, deliverable at Fort Alexander not later than the 15th June, 1843.

71. That C. T. Hargrave take measures to get conveyed to York Factory next spring all the prime Otters procured at Severn during the current outfit, for the purpose of being sent to the Columbia by the Saskatchewan.

72. That an allowance of £100 be made Mr. John McCallum in aid of the boarding School under his management, for the Current Outfit.

73. That an allowance of £100 be made to Dr. Bunn for medical attendance at the Company's Establishments at Red River, and on the retired Servants who cannot afford to pay for such, as well as on other pauper settlers, for the Current Outfit.

74. That the usual contribution of £100 per annum towards maintaining the Police Establishment of Red River be continued.

75. That an allowance of £100, with the usual supplies of Tea, Sugar, &c., be made to the Catholic Mission of Red River Settlement for the Current Outfit.

76. That an allowance of £100 be made to the Catholic Mission under the superintendence of the Rev. Mr. Blanchette in the Columbia District for the Current Outfit.

77. That William McKay, P.M., be furnished with 3 or 4 Indians and the necessary implements, during the summer, for improving the portage and river communications between York Factory and Norway House.

78. That throughout the Country none but spring rats (musquash) shall hereafter be traded, and that 10 such rats be considered equal to a Made-Beaver, at all Posts and Districts in the Northern Department.

In compliance with the 30th paragraph of the Governor and Committee's dispatch of 30th March, 1842, regulating the exportation of Musquash from the Bay by the ships of the season, it is

79. That no more than about 500,000 Musquash be shipped for Europe the autumn, estimated as follows:—say Southern Department Returns Outfit 1839 and 40, 183,000, and those of Outfit 1841 supposed to amount to 90,000; likewise McKenzie's River Musquash of Outfit 1841 about 30,000, and 234,000 of the Northern Department Returns of Outfits 1839 and 1840 now in store at York Factory.

80. That no small or damaged Musquash be shipped for Europe this season, as such only swell up the Returns, cause expense for Insurance and other charges, and in the end realize little or nothing in the English Market.

81. That the usual Winter Packet between Moose and York Factory be discontinued; and that the papers necessary for settling the annual accounts between the Northern and the Southern Departments be forwarded from York in sufficient time to reach Fort Garry before the despatch of the Red River Winter Packet for Sault Ste. Marie about the 20th January; the said papers to be left at Michipicoton and thence to be forwarded to Moose by the first convenient opportunity. That the papers from Moose be sent by the usual Winter Packet to Michipicoton and thence to York by the Montreal Spring Express Canoe.

82. That the Gentleman in Charge of Lake Superior District be instructed to forward a Packet from the Sault Ste. Marie to Red River on the 1st February, with all the letters and papers for gentlemen on the communication to, and in the Northern Department that may be collected at the Sault or elsewhere within his charge previous to that date; and that no other express be forwarded unless rendered necessary by very important business.

83. That a Packet for England be sent from Red River on the 1st November via St. Peters, if anything particular occurs, and that a duplicate dispatch together with any such subsequent information that may be considered worthy of notice be forwarded by Lac La Pluie on the 20th January next.

84. That the amount of the Requisition from England for shipment 1843 do not exceed £17,500, say £13,000 for the Northern Department and £4,500 for Red River Settlement.

85. That the following Servants be engaged for the Northern Department, from Europe under 5 years' Contracts:—

2	Blacksmiths	at from	£25	to £30	per annum.
3	Boatbuilders	"	£25	" £30	"
2	Coopers	"	£25	" £30	"
23	Labourers	"	£16	" £17	"
30					

From Canada on 3 years' Contracts:—
20 Labourers at Prix de Poste.

From Red River on 3 years' Contracts:—
20 Labourers at Prix de Poste.

86. That a Commissioned Gentleman's Allowance be forwarded from York Factory to each of the undermentioned Wesleyan Missionaries:—

Mr. Evans, Norway House,
Mr. Mason, Lac La Pluie,
Mr. Rundle, Edmonton.

87. That the following Clerks and Postmasters be engaged for the term, and at the salaries affixed to their names respectively:—

Henry Maxwell, Clerk, 3 years, £60 from 1st June, 1841.

Alexander Christie, Jr., Clerk, 3 years, £75 from 1st June, 1842.

Samuel McKenzie, P.M., 3 years, £30 from 1st June, 1842.

William Hardisty, App. P.M., 3 years, £20 from 1st June, 1842.

James Pruden, App. P.M., 5 years, £20 from the 1st June, 1842.

Robert Campbell, Clerk, Salary to be increased to £100 per annum from 1st June, 1841, to 1843.

88. That the following Clerks be permitted to retire from the Service this season:—

Andrew McPherson.
William Thew.
Charles Brisbois.

The impoverished state of the country in the article of Beaver is increasing to such an alarming extent that it becomes necessary to take practical measures for providing an immediate remedy, it is Resolved

89. That the Gentlemen in Charge of Districts and Posts be strictly enjoined to discourage the hunting of Beaver by every means in their power, and that no more than one half the number collected Outfit 1839 be traded during the Current and ensuing Outfits at the undermentionel Districts and Posts, viz:—

Northern Department.

Athabasca—Fort Chippeywan, Dunvegan, Vermilion, Great Slave Lake. McKenzie's River—Fort Simpson, Riv. au Liard, Forts Good Hope & Norman. English River—Ile a la Crosse, Green Lake, Deer's Lake, Rapid River. Saskatchewan—Jasper House, Lesser Slave Lake, Cumberland, Moose Lake, Swan River—Shoal River. Norway House—Norway House, Nelson River. York Factory—York Factory, Churchill & Severn. Oxford House—Oxford House, Island Lake.

Southern Department.

Albany—Albany Factory, Martin's Falls, Osnaburg, Lac Seul. Moose — Moose Factory. Rupert's River — Rupert's House, Big River.

And as a further remedy for the evil, if it be found that gentlemen disregard this instruction, as they have done many others issued from time to time for the same object, it is Resolved

90. That the Governor and Committee be respectfully advised to give notice of retirement from the Service to such gentlemen as may not give effect to the spirit and letter of the Resolution now passed for the preservation of Beaver.

In order to encourage the Indians to greater exertions in hunting other furs, and that they may not suffer any privation in consequence of the proposed restrictions, it is Resolved

91. That all Indians at posts where the restrictions exist, and who do not kill beaver, be paid in goods the value of 10 skins in Made-Beaver for every 9 skins in small furs they trade in the course of the year.

92. That Gentlemen in Charge of Districts be directed to furnish next season for the information of the Governor and Council comparative Statements of the number of Beaver procured at each post in their respective districts for Outfits 39, 40, 41 & 42.

93. That dressed leather, robes and parchment to be supplied the Southern Department, as follows, to be packed and

invoiced separately at York Factory and shipped for England:—

30 Buffalo Robes at 7/ 6d.. 1200 large dressed Moose Skins at 5/ 6d.

300 large moose Parchments at 3/ 6d., 800 lge. dressed Reindeer Skins at 2/

94. That Resolutions Nos. 88, 91, 92, 95, 98, 99 & 102 of Council, June 1837, and Resolutions Nos. 71, 73, 74, 78, 81, 82, 83, 86, 87, 93, 94, 95, 97, 99 & 100 of Council June 1841 be considered in force for the Current Outfit.

In accordance with the Governor and Committee's instructions to render every assistance towards increasing the collections of Mammalia in the British Museum, and promoting the science of Zoology generally, it is Resolved

95. That the Gentlemen in Charge of Districts and Posts be requested to collect the skins of such of the animals as are mentioned in the accompanying letter from Mr. Grey as may be found within the limits of their respective districts, and that such specimens be forwarded to the Governor and Committee by the annual ship to England.

96. That this Council do now adjourn.

(Signed) DUNCAN FINLAYSON,
Chief Factor, President.
RODERICK McKENZIE,
Chief Factor.
DONALD ROSS,
Chief Factor.
J. E. HARRIOTT,
WILLIAM TODD,
GEORGE GLADMAN,
Chief Traders.

Minutes of Council, 1843.

Minutes of a temporary Council held at Red River Settlement Northern Department of Ruperts Land which commenced on the tenth day of June, One Thousand, Eight Hundred and Forty Three for the purpose of establishing such Rules and Regulations as may be considered expedient for conducting the business of said Department; and in order to investigate the result of the trade of last year conformably to the provisions of a Deed Poll under the seal of the Governor and Company of Adventurers of England trading into Hudson's Bay bearing

date the sixth day of June, One Thousand Eight Hundred and thirty four at which were present the following members.

Sir George Simpson, Governor in Chief.
John R. Rowand, Chief Factor.
Duncan Finlayson, "
Donald Ross, "
William Todd, Chief Trader.
Nicol Finlayson, "

Resolved 1. That the rotations of Furlough for the Current Outfit be in favor of Chief Factors Duncan Finlayson and Peter Skene Ogden and Chief Traders John Bell, Thomas Corcoran and John McLean.

2. That Chief Factors Duncan Finlayson and Peter Skene Ogden not being desirous of availing themselves of their rotations of Furlough, they be transferred to Chief Factors George Keith and James Keith, and that Chief Trader John Bell not availing himself of his Rotation, and Chief Traders Thomas Corcoran and John McLean having had leave of absence for the past Outfit, thereby anticipating their Rotation of Furlough, that they be transferred to Chief Traders Alexander Fisher, William Todd & George Barnstone.

3. That the rotations of Furlough for the ensuing Outfit be considered in favour of Chief Factors Donald Ross, and James Douglas and Chief Traders William Glen Rae, John Swanston and Francis Ermatinger.

4. That leave of absence be afforded for the Current Outfit to Chief Factor Angus Cameron.

5. That the following appointments take place

Districts	*Chief Factors.*	*Chief Traders.*
McKenzies River	John Lee Lewes	John Bell
		John McLean
Athabasca		Colin Campbell
English River	Roderick McKenzie	
Saskatchewan	J. Rowand	J. E. Harriott
Swan River		Cuthbert Cummings
Red River	Dun. Finlayson	
Lac la Pluie		Nicol Finlayson
Norway House	Donald Ross	
Yorkfactory		James Hargrave
		George Gladman

Columbia	J. McLoughlin	John Work
	James Douglas	Richard Grant
	Archd McDonald	Donald Manson
		Wm. H. McNeil
		Wm. G. Rae,
		Fras. Ermatinger
		Charles Ross
New Caledonia	Peter S. Ogden	John Tod.

6. Winter Arrangements—

Athabasca—Fort Chippewyan, Colin Campbell, C.T.
F. D. Boucher, App. Clk.
Dunvegan, Fras. Butcher, Clk.
Vermilion, William Shaw, P.M.
Gt. Slave Lake, Wm. McMurray, App. P.M.

7. That 3 Boats and 22 men including the Guide and 180 ps. Goods constitute the Current Outfit for this District.

8. That C. T. Campbell accompany his Brigade to Norway House Summer 1844 for the purpose of attending to the business of the District; and that the Clerks and Postmasters remain inland and be appointed as he may consider expedient.

9. Summer Arrangements—

Athabasca—Fort Chippewyan,	3	men	incl. Intr.
Dunvegan,	3	"	"
Vermilion,	2	"	"
Great Slave Lake,	2	"	"

10. That Chief Trader Hargrave take the necessary steps to prepare and forward to Norway House about 180 ps. Goods for Athabasca Outfit 1844 by Indians or Red River Carriers.

11. That C. F. Ogden's requisition for Leather, parchment, &c., be sent from Athabasca Dist. per Current Outfit.

12. Winter Arrangements—

McKenzies River—Fort Simpson, J. Lee Lewes, C.F.
Gavin W. Hamilton, Clk.
Riv're au Liard, A. McBeath, P.M.
Fort Good Hope, John McLean, C.T.
P. Pambrun, App. P.M.
Fort Halkett, A. Christie, Clk.
Fort Norman, G. Deschambault, Clk.
Peels River, John Bell, C.T.
James Pruden, App. P.M.

Frances Lake, Robt. Campbell, Clk.
Wm. Hardisty, App. P.M.

13. That 300 pieces Goods in 5 Boats manned by 36 men exclusive of the Guide; 30 of whom are Red River men hired for the Trip, and 6 men under Contracts as regular servants intended for the District constitute the Current Outfit.

14. That Chief Factor Lewes be directed to extend the trade from Peels River in the direction of Colviles River and continue the examination of the Country to the Northward and Westward of Frances Lake, but to report thereon before forming any Establishments.

15. Summer Arrangements—

McKenzies River—Fort Simpson, 2 men incl. Interpr.
Riv're au Liard, 2 " "
Fort Good Hope, 2 men incl. Interpr.
Fort Norman, 1 man.
Fort Halkett.
Peels River, 8 men } Summer & Winter.
Frances Lake, 5 }

16. That Chief Factor Lewes accompany his Brigade to Portage la Loche Summer 1844; and that the Commissioned Gentlemen, Clerks & Postmasters remain inland and be appointed as he may think expedient.

17. That C. T. Hargrave be directed to prepare and forward in course of this Summer about 300 ps. Goods to Norway House for Outfit 1844; the same to be transported thence to Portage la Loche in 5 Boats to start on or before the 15th June 1844 manned by a Guide and 36 men, of whom 31 including the Guide to be engaged for the trip in Red River Settlement and 6 Servants under engagements of not less than 3 years to replace any that may retire from the District.

18. Winter Arrangements—

English River—Isle a la Crosse, R. McKenzie, C. Factcr.
Rapid River, Saml. McKenzie, P.M.
Green Lake, J. Hodgson, P.M.
Deers Lake, An Interpreter.

19. That 120 pieces Goods in 2 Boats manned by 15 men including the Guide and Indians hired from English River constitute the Current Outfit for this District.

20. Summer Arrangements—

English River—Isle a la Crosse, J. Hodgson, P.M. & 2 men.
Rapid River, 1 man.

21. That the usual quantity of dried Provisions be provided and forthcoming for the outward and inward Brigades. Spring and Summer, 1843.

22. Winter Arrangements—

Saskatchewan, Edmonton, J. Rowand, C.F.
Peter Ogden, Clk.
Carlton, Patk. Small, Clk.
Rocky Mountain Ho., J. E. Harriott, C.T.
A. E. Pelly, App. Clk.
Wm. Christie do
Lesser Slave Lake, C. McDougall, Clk.
Fort Pitt, John Rowand, Jnr., Clk,
Jaspers House, Colin Fraser, P.M.
Cumberland, Heddle, Interpreter.
Moose Lake, Ballenden, do

23. That about 450 pieces Goods in 9 Boats manned by 43 Servants belonging to the District constitute the Current Outfit; and that the Crew be made up of ingoing Servants belonging to the Columbia and New Caledonia Districts.

24. That the following provisions and other Country Produce be provided by this District and brought to Norway House next Summer Viz:

12 new Boats.
50 Bales dried Meat.
100 Bags Pemican, ea. 90 lb.
70 Bags Fine Pemican, ea. 45 lb.
500 Prs. tracking Shoes.
30 Good Leather Tents.

25. That 120 Bags Pemican and the usual quantity of Country Produce be deposited at Cumberland House next Summer for the use of the Brigades passing.

26. That a Boat and 2 men be left at York Factory for the purpose of conveying a Boatbuilder & 12 Labourers of the Servants coming by the Ship from England inland; the Boatbuilder to be attached to the Saskatchewan District and the Labourers to be brought to the Depot next Spring.

27. Summer Arrangements—

Saskatchewan—Edmonton, John Rowand, Jnr., & 12 men.
Carlton, Patk. Small & 7 men.
Lesser Slave Lake, G. McDougall & 2 men.
Fort Pitt, Peter Ogden & 4 men.
Jaspers House, C. Fraser and 1 man.
Cumberland, A Labourer (W. Heddle and 1 man).

28. That Chief Factor Rowand be authorized to make the Winter & Summer appointments of the Commissioned Gentlemen, Clerks, & Postmasters in this District as he may consider expedient.

29. Winter Arrangements—

Swan River—Fort Pelly, Cuthbert Cummings, C.T.
Fort Ellice, J. McKay and 7 men.
Manitobah, An Interpreter.
Shoal River, do

30. That about 180 pieces Goods in 3 Boats and 15 voyaging Servants constitute the Outfit for this District, 100 ps. of these Goods for Fort Pelly, Manitobah and Shoal River and the remainder to be forwarded partly on freight to Red River Settlement for the trade of Fort Ellice, the crews of the Boats to be made up to 6 men each by Trippers hired for the voyage.

31. That C. T. Cummings take to Norway House next Spring 20 good Leather Tents and 30 Bushels Salt for distribution; and that he take the necessary steps to provide 100 Bushels Salt for the use of Red River Settlement deliverable at the North end of Manitobah Portage; the price not to exceed 8/ per Bushel.

32. Summer Arrangements—

Swan River—Fort Pelly, 3 men incl. Intr.
Fort Ellice, J. R. McKay & 7 men.
Manitobah, An Interpreter.
Shoal River, A Labourer.

33. Red River—Fort Garry, Dun. Finlayson, C.F.
Richard Lane, Clk.
Robert Clouston, Clk.
James Grahame, App. Clk.
Lower Fort, John Black, Clk.
Recorder of Rupert's Land, Adam Thom.
Warden of the Plains, Cuthbert Grant.
Surveyor, George Taylor.

34. That the following supplies be provided at the Colony for exportation to Norway House Summer 1844 made up in sound and transportable packages and purchased at the usual prices.

35 Bush. rough Barley.
3 " French Beans.
12 Cwt. Good Corn Beef.
50 " Biscuit.
34 Oak Boards, 13 ft. long 7 x ¾-in. Board.
8 Oak boards, 15 " 8 x ¾ "
60 Firkins Butter, 56 lb. ea.
10 Half Firkins Butter, 28 lb. ea.
6 Maccarons Butter.
240 lb. Cheese.
10 Bu. Indian Corn.
15 Kegs Eggs.
600 Cwt. best dried Flour 1st & 2nd Quality.
2 Casks salt Cabbage.
200 Cwt. best kiln-dried flour 1st quality.
60 Hams.
50 Bales dried Meat.
500 Bags Com. Pemican.
45 Cwt. Salt Pork.
4 Bus. Onions.
200 Portage Straps.
100 Prs. best Portage Shoes.
10 assortmts. Garden Seeds.
1 Keg Salted Suet.
1000 White Oak Heading, for 8 Gal. Kegs, 26 in. long, 4 x ¾-in. wide.
300 " Oak Headings, for 24 Gal. Kegs, 20 in. long, 6½ x 1-in. wide.

In order to afford a market to a certain extent to the Agriculturists of Red River Sett't, it is Resolved

35. That C. F. Finlayson be instructed to purchase to the extent of 2000 Bushels sound, clean Wheat and to have the same kiln dried.

A very improper and irregular practice having been discovered to obtain of Commissioned Gentlemen and Clerks in the Service making purchases of Flour &c. at Red River from private Individuals, the same being conveyed from Norway House to the District in the Company's Craft free of charge from Freight, it is Resolved

36. That no such private purchases shall in future be freighted in the Company's Craft on any consideration.

37. That a Guide and 30 men for McKenzies River transport and the Fall freight from York Factory to Red River be employed at £25 to the Guide, £16 to the Steersman, £14 to the Bowsman and £12 to the Middleman.

38. That the Lake Winipeg Vessels be laid up at Red River for the Winter; and the crews employed as C. F. Finlayson may consider expedient.

39. Winter Arrangements—

Lac la Pluie—	Ft. Alexander,	N. Finlayson, C.F.
	Fort Frances,	Wm. Sinclair, Clk.
	Rat Portage,	Dond. McKenzie, Clk.
	Lac du Bois Blanc,	J. Isbister, P.M.

40. That not exceeding 220 ps. Goods with a complement of 10 voyaging Servants constitute the Current Outfit; these Goods to be taken from the Factory in 3 Boats manned by a Guide and the 10 voyaging Servants assisted by 11 Indians belonging to the District to be employed for the trip.

41. That the sum of £300 Sterg. be paid by draft on the Govr. & Committee to Ramsay Crooks Esqre. in consideration of the opposition having been withdrawn from the frontiers of Lake Superior, Lac la Pluie and Red River Districts, conformably to the terms of an agreement entered into between the Hudsons Bay Company and the American Fur Company; the said amount to be charged to Lac la Pluie District Outfit 1842.

42. That 8 Kegs Spirits be furnished Lac la Pluie for the Current Outfit to be given as gratuities to the Indians of Fort Frances, Rat Portage, and Lac du Bois Blanc.

43. Summer Arrangements—

Lac la Pluie—	Fort Frances,	3 men incl. Interpreter.
	Ft. Alexander,	2 men incl. Interpreter.
	Rat Portage,	2 men incl. Interpreter.

44. That it be discretionary with C. T. Finlayson to make the necessary Summer appointments of the Clerks and Postmasters remaining inland.

45. Winter Arrangements—

Norway House—	Norway House,	Donald Ross, C.F.
		Bernard Ross, App. Clk.
		and 7 men.

Berens River, Robt. Cummings, P.M.
and 2 men.
Nelson River, John Isbister, P.M. & 2 men.

46. That 2 voyaging Servants belonging to this District assisted by 26 Indians to be engaged for that purpose be employed to make 2 trips to York Factory with 4 Boats carrying 70 pieces each p. trip upwards; and that 110 ps. Goods constitute the Outfit of this District.

47. That the 6 Servants intended for McKenzies River be stationed at Norway House, together with 6 supernumeraries; there to pass the Winter for distribution next year.

48. Summer Arrangements—

Norway House—Norway House, Donald Ross, C.F.
Bernard Ross, App. Clk.
and 7 men.
Berens River, R. Cummings, P.M. & 1 man
Nelson River, J. Isbister, P.M. & 1 man.

49. Winter Arrangements—

York—York Factory, James Hargrave, C.F.
Wm. McTavish, Clk.
Wm. D. Gillespie, Surgeon.
Robt. Ballantyne, App. Clk.
Thomas Charles, App. Clk.
Robert Wilson, P.M.
Churchill, Robert Harding, Clk.
Severn, An Interpreter.
Trout Lake, Wm. McKay, P. M.
Oxford House, George Gladman, C.T.
Island Lake, James Harrold, Intr.

50. That notwithstanding the appointment of Chief Trader Gladman to Oxford House, it is to be understood that he shall pass the Summer at York Factory for the purpose of attending to the Fur Stores.

51. That 30 men including Mechanics and the crew of the *Frances* Schooner constitute the Winter and Summer Establishment of York Factory.

52. That 6 men constitute the Winter and Summer Establishment of Churchill with an Outfit amounting to about 90 ps. Goods and Provisions to be transported from York Factory during the Summer in the *Frances* Schooner.

53. That not exceeding 50 pieces Goods with the necessary quantity of Provisions and a complement of 9 Servants besides the persons in charge constitute the Current Outfit for Severn and Trout Lake to be conveyed in 2 Boats manned by the Servants of the Post and Indians.

54. That Chief Trader Hargrave be authorized to employ 2 additional Boats manned by 14 York Factory Indians in transport between York Factory and Norway House; that the Norway House, Oxford House, and York Factory Freight Boats be laden with 70 pieces Goods for Norway House; those Goods to consist of the usual Outfits and other Goods to be deposited at Norway House for distribution.

55. That Mr. Gladman be directed to employ 4 Boats manned by 28 Indians and a Guide in performing a double trip between the Depot and Norway House in the transport of Goods and Returns, the lading of each Boat upwards to be 70 pieces and downwards 65 pieces, 5 of which to be left at Oxford and the remaining 60 pieces p. Boat to be delivered at York Factory.

In consequence of the loss sustained last year by the destruction by fire at the usual place of deposit of the Island Lake Outfit and Returns and to prevent a recurrence of this in future it is Resolved

56. That the practice of leaving such Outfits and Returns in deposit be discontinued and that they be conveyed to Oxford House, from thence be forwarded either to York Factory or the Post.

57. Summer Arrangements—

Island Lake—Oxford House, J. Harrold and 1 man.
Island Lake, A Labourer.

58. Columbia Arrangements—

Fort Vancouver—John McLoughlin, C.F.
Dugald McTavish, Clk.
Forbes Barclay, Surgeon.
A. L. Lewes, Clk.
David McLoughlin, App. Clk.
Thomas Lowe, App. Clk.
D. Harvey, Miller.
Fort George—James Birnie, Clk.
Nisqually—Angus McDonald, Clk.
Cowelitz—Charles Forrest, P.Mr.
Fort Langley—James M. Yale, Clk.

Fort Simpson—John Work, C.T.
John Kennedy, Clk.
Umpqua— Paul Fraser, Clk.
Buena Venture Expedn.—Michel Leframboise, P.M.
Snake Expedition, Fort Hall—Richard Grant, C.T.
Angus McDonald, P.M.
Fort Borssie—Francis Payette, P.M.
Fort Colvile—Archd. McDonald, C.F.
Flat Heads—John McPherson, P.M.
Coutonais—Patrick McKenzie, App. P.M.
Thompsons River—John Tod, C.T.
Dun. Cameron, P.M.
Okanagan—An Interpreter.
Nez Percez—Archd. McKinlay, Clk.
William Todd, P.M.
Stikine—Charles Dodd, Clk.
G. Bleakinsop, P.M.
Straits of de Fuca—James Douglas, C.F.
Charles Ross, C.T.
Rodk. Finlayson, Clk.
Sandwich Islands—George Pelly, Agent.
George T. Allen, Clk.
Disposable—Wm. Glen Rae, C.T.
Francis Ermatinger, C.T.
Wm. F. Tolmie, Surgeon.
H. N. Peers, App. Clk.
Beaver Steamer—Wm. Brotchie, Master.
J. Carless, Engineer.
Wm. Mitchell, 1st Mate.
Vancouver—Duncan, Master.
James Sangster, 1st Mate.
Oxley, 2nd Mate.
Columbia—J. Humphrey, Master.
1st Mate.
2nd Mate.
Cadboro—James Scarboro, Master.
Alexr. Lattie.
Cowlitz—Wm. H. McNeil, C.T.
William Heath, 1st Mate.
J. Heald, 2nd Mate.

New Caledonia—Stuarts Lake, Peter S. Ogden, C.F.
Henry Maxwell, Clk.
McLeods Lake, A. C. Anderson, Clk.
Frasers Lake, Wm. F. Lane, Clk.
Alexandria, Donald Manson, C.T.
Fluz-cuz, Donald McLean, Clk.
Conollys Lake, William McBean, Clk.
Fort George, William Porteous, Clk.
Babines, Wm. McIntosh, Clk.

59. That Chief Factor McLoughlin for the Columbia and Chief Factor Ogden for New Caledonia be instructed to follow up without deviation the foregoing appointments as far as circumstances may admit.

60. That H. N. Peers App. Clk. with the Guide and 10 Servants, as many of them Boutes as possible, to be selected by C. T. Hargrave be forwarded to the Columbia District and accompany the Saskatchewan Brigade under the charge of C. T. Harriott from the Depot to Edmonton from thence proceed under the charge of Mr. Peers to Vancouver unless he may receive further instructions from Mr. McLoughlin *en route* by which he will regulate his movements. Of these Servants 2 to be Blacksmiths and 2 Coopers if any such be disposable, if not, those tradesmen coming out by the Ship this season to be forwarded next season to the Columbia.

61. That the Gentlemen in charge of the Columbia be instructed to send to York Factory in the Spring of every year with the accounts an intelligent officer conversant with them, qualified to enter into explanations, and to give information on such points as may not be sufficiently reported in the public correspondence; that Mr. Dugald McTavish be sent out with the Accounts next year and be relieved in the Office Department by Mr. Thomas Lowe who will be required to come out with the accounts in the year 1845.

62. That C. F. Ogden having expressed a desire to obtain leave of absence or an exchange of Furlough next year, it is resolved that the same be afforded him, but this cannot be assured him beyond the ensuing year.

63. That the new Establishment to be formed on the Straits de Fuca to be named Fort Victoria be erected on a scale sufficiently extensive to answer the purposes of the Depot; the square of the Fort to be not less than 150 yards; the buildings to be substantial and erected as far apart as the grounds may admit with a view to guarding against fire.

64. That Chief Factor Ross be directed to take the necessary steps to provide and forward 3000 prime Otters by the Columbia Brigade this season, for the purpose of meeting our contract with the Russian American Company; and that C. T. Harriott & Mr. Peers be particularly enjoined to use their utmost endeavors to guard against soil and damage of any kind during the voyage.

65. That C. T. Hargrave take measures to get conveyed to York Factory next Spring all the prime Otter Skins procured at Severn during the current Outfit for the purpose of being sent to the Columbia by the Saskatchewan Brigade.

66. That an allowance of £100 be made to Mr. John MacCallum in aid of the Boarding School under his management for the Current Outfit.

67. That an allowance of £100 be made to Dr. Bunn for medical attendance at the Company's Establishments at Red River, and on the retired Servants who cannot afford to pay for such, as well as other pauper Settlers for the Current Outfit.

68. That an allowance of £100 with the usual supplies of tea, Sugar &c. be made to the Catholic Mission at Red River Sett't for the Current Outfit.

69. That an allowance of £100 be made to the Catholic Mission under the superintendence of Mr. Blanchard in the Columbia District for the Current Outfit.

70. That no other than full sized Spring Rats be traded and that 10 be considered equal to a Made Beaver at all the Districts and Posts in the Northern Department.

71. That the amount of Requisition from England for Shipment 1844 do not exceed £11000 for the Northern Department and £4000 for the Red River Settlement, the latter to be packed up separately.

72. That the annexed scale of Freight and passage money be adopted and considered a standing Regulation until altered or rescinded.

It being observed that the Company's Craft are frequently made the means of conveying Strangers totally unconnected with the business, it is Resolved

73. That Chief Factor McLoughlin be instructed not to permit passages to be given in any of the Company's craft to any stranger of whatever rank or profession he may be, to or from any part of the Country or Coast.

74. That the following Servants be engaged for the Northern Department.

From Europe on 5 years' Contracts—

1 Blacksmith @ £25 to £30.
1 Boatbuilder " 25 " 30
18 Labourers " 16 " 17

From Canada on 3 years' Contracts—

20 Labourers @ £16 to £17.

From Red River—

20 Labourers @ £16 to £17.

In order to remove any misapprehension that may exist as to the footing on which the Gentlemen connected with the Wesleyan Missionary Society are intended to be placed at the Company's Establishments, it is Resolved

75. That Board and Lodging be afforded to the different Wesleyan Missionaries at the establishments at which they are stationed in like manner as provided for Commissioned Gentlemen: If single, to eat at the public Mess table, but family men to live apart in houses to be provided specially for their accommodation. Each Missionary to be provided with the like allowance of luxuries as given to Commissioned Gentlemen in the Service. That passages be afforded the Missionaries in the Company's Craft from one part of the Country to another; In cases where the Company have no Craft, a special conveyance be provided for their use, but not otherwise, such conveyance to be a canoe manned by 3 persons, the superintendent only to be provided with the means of conveyance by Winter travelling to be attended by not more than 2 men.

76. That all purchases made by the Wesleyan Missionaries at the Companys Stores be charged them at the Servants Tariff when such purchases are made.

77. That a Commissioned Gentleman's allowance be forwarded from York Factory to each of the undermentioned Gentlemen

Mr. Evans	Mr. Mason
Mr. Rundle	Mr. Jacobs

78. That the following Clerks, and Postmasters be engaged for the terms and salaries affixed to their names respectively.

Clerks.

Campbell, Robert	£100	for	3	yrs.	from	June 1842
Christie, Alexander, Junr.	100	"	3	"	"	"
Clouston, Robert	75	"	3	"	"	"
Deschambeault, George	100	"	3	"	"	"
Fraser, Paul	100	"	3	"	"	"
Finlayson, Roderick	75	"	3	"	"	"
Lane, Richard	75	"	3	"	"	"
McBean, William	75	"	3	"	"	"
McKenzie, Donald	100	"	3	"	"	"
McKinley, Archd	100	"	3	"	"	"
Ogden, Peter	50	"	3	"	"	"
Rowand, John, Jnr.	100	"	3	"	"	"
Sinclair, William	100	"	3	"	"	"

Postmasters.

Hodgson, Thomas	@ £40	for	3	yrs.	from	June 1842.
Isbister, John	40	"	3	"	"	"
Shaw, William	40	"	3	"	"	"

79. That the following Clerks and Postmasters be allowed to retire from the Service, the present Outfit.

Henry Fisher, Clk.
William Thew, Clk.
John O'Brien, Clk.
Hector McKenzie, App. P.M.

And that A. E. Pelly, Clk. be permitted to retire next year 1844.

The impoverished state of the Country in the article of Beaver is increasing to such an alarming extent that it becomes necessary to take effectual measures for providing an immediate remedy to that end, it is Resolved

80. That the Gentlemen in charge of Districts and Posts be strictly enjoined to discourage the hunting of Beaver by every means in their power, and that not more than half the number collected Outfit 1839 be hunted during the Current and succeeding Outfits at the undermentioned Districts and Posts.

Northern Department.

Athabasca—Fort Chippewyan.
Dunvegan.
Vermilion.
Great Slave Lake.

McKenzies River—Fort Simpson.
Rivre. au Liard.
Fort Good Hope.
Fort Norman.
English River—Isle a la Crosse.
Green Lake.
Deers Lake.
Rapid River.
Saskatchewan—Fort Assineboine.
Jaspers House.
Lesser Slave Lake.
Cumberland.
Swan River—Shoal River.
Norway House—Norway House.
Nelson River.
York—York Factory.
Churchill.
Severn.
Oxford House.
Island Lake.

Southern Department.

Albany—Albany Factory.
Martins Falls.
Osnaburg.
Lac Seul.
Moose—Moose Factory.
Rupert's House.
Big River.

In order to encourage the Indians to greater exertions in hunting other furs, and that they may not suffer any privation in consequence of the proposed restrictions, it is Resolved

81. That all Indians at Posts where the restrictions exist and who do not kill Beaver, be paid in Goods the value of 10 Skins of Made Beaver for every 9 Skins in small Furs they trade in course of the year.

82. That Gentlemen in charge of Districts be directed to furnish next Season for the information of the Governor & Council, comparative statements of the number of Beaver procured at each Post in their respective Districts for Outfits 1839, 1840, 1841, 1842, and 1843.

83. That the following dressed Leather &c be supplied the Southern Department to be packed & Invoiced separately at York Factory and Shipped for England

1000 large dressed Moose Skins @ 7/6
200 " Parchment do " 3/6
800 " Reindeer do " 2/
20 Cwt Grease or Tallow in kegs ¾ or 1 Cwt.

84. That the annexed Standing Rules & Regulations numbered one to sixty and dated Red River Settlement 17th June 1843 be considered in full force until altered or rescinded; and that the former Standing Rules be hereby annulled.

85. That this Council do now adjourn

(Sigd) George Simpson, Governor in Chief.
John Rowand C.F.
Dun. Finlayson C.F.
Donald Ross C.F.
William Todd C.T.
Nicol Finlayson C.T.

Red River Settlement
19th June 1843.

FREIGHT AND PASSENGER RATES.

These are the freight and passenger rates referred to in Resolutions Nos. 72 & 73 of the Minutes of Council of 1843.

Scale of Freight and Passengers and Goods per Hudson's Bay Company's Vessels.

Per *Hudson's Bay* vessels:—

Freight on Goods to Officers and Servants £8 Stg. per Ton.
" Red River Settlers, payable before shipment .. .. 8 " " "

Passengers	Out	Home
under 15	£8, 6	£6 3
" 10	4	2

20/—(shillings) less if embarked at Stromness.
10/— " less if landed at Stromness.

Per *Columbia* vessels:—

Freight on Goods	to Russian American Company, payable by Bill on St. Petersburgh sixty days after sight, on delivery of Goods at Stikine	£10 per Ton
Do	to Officers and Servants	8 " "
Do	to The Puget Sound Company, including water casks and provender	6 " "
Cabin Passengers above 12		£40
Do	under 12	£20

One half (of which) to Captain for extra Cabin allowances to be furnished by him.

Steerage Passengers above 12		£20
Do	under 12	£10

To All Other Persons—

Freight on Goods		£10 per Ton
Passengers in Cabin above 12 years		£50
Do	under 12	£25
Passengers in Steerage above 12 years		£25
Do	under 12 "	£12.10/

These rates apply to persons landed or embarked at the Columbia River, as well as those landed or embarked at the Sandwich Islands.

Freight on Goods landed at the Sandwich Islands £9 per Ton.

Scale of Passage Money by the Hudson's Bay Company's vessels between the Sandwich Islands and the Columbia River.

	Per Diem.
Cabin.—Missionaries, male or female, to or from Oaku or elsewhere	$2.50
Children between the ages of 8 & 12 years	2.00
Do 5 & 8	1.50
Do under 5 years	1.00
Cabin.—All Other Passengers, between above places	3.00
Children 8 to 12 years	2.50
Do 5 to 8	2.00
Do under 5	1.00

Steerage for above classes $2-$1.50-$1.25, and $1 per diem

Between Decks.—All passengers—Missionaries and others for above classes $1.50, $1.25, $1.00, and $0.75 per *diem*.

No Agent shall be at liberty to grant passages in any of the Company's Vessels under any consideration, without special Authority.

Freight on Goods between	Sandwich Islands and Fort Vancouver	$20 per Ton.
Do	California and Fort Vancouver	$15 "
Do	California and Sandwich Islands	$15 "

(For Norway House.)

Estimated Requisition of Country Produce for Outfit 1845.

From Sask'n	From S. R.	From R. R.	From L. L. P.	Total.	—		For N. H.	For O. H.	For Y. F.	Total.
			10	10	Bark, birch (canoe), bottom.	Rolls.	10	....	.....	10
		3	.....	3	Beans, French.....	Bush.	....	....	3	3
12	.....	.....	.....	12	Boats, inland.....	Each.	10	2	.....	12
		12	.....	12	Beef, corned.....	Cwt.	2	....	10	12
		3	.....	3	" smoked.....	"	1	2	.....	3
		30	.....	30	Barley, rough	Bush.	30	....	.....	30
		50	.....	50	Biscuit, fine.....	Cwt.	50	....	.....	50
		60	.....	60	Boards, oak, 12½ ft. 7x⅞ in.....	Each.	44	....	16	60
		10	.....	10	Boards, oak, 15 ft., 8x⅞ in. (for sleds).	"	6	....	4	10
		70	.....	70	Butter, salt, 56 lb ..	Firkin.	33	2	35	70
		10	.....	10	" " 28 " ..	"	10	....	.....	10
		6	....	6	" " 10 " Tinnets or Maccaroons.		6	....	.....	6
		220	.....	220	Cheese, sweet milk 6 lbs.....	lbs.	70	....	150	220
		10	.....	10	Corn, Indian, hulled	Bush.	10	....	.....	10
		15	.....	15	Eggs	Kegs.	10	....	5	15
		200	.....	200	Flour, 1st quality..	Cwt.	150	....	50	200
		550	.....	550	Flour, 1st and 2nd quality	Cwt.	200	50	300	550
3	3	.....	.....	6	Grease, soft	"	3	....	3	6
		50	.....	50	Hams.....	Each.	35	....	15	50
40	20	50	.....	110	Meat, dried.....	baled.	100	5	5	110
100	70	400	.....	570	Pemican, common, 90 lb.....	Bags.	250	70	270	570
50	10	.....	....	60	Pemican, fine, 45 lb.	"	38	2	20	60
		70	.....	70	Pork, salted.....	Cwt.	30	...	40	70
		8	.....	8	Onions.....	Bush.	2	....	6	8
	32	.....	.....	32	Salt (Winipegoosis).	"	30	2	.....	32
2,500	.....	.....	.....	2,500	Shoes, tracking....	Prs.	500	....	2,000	2,500
		250	....	250	Straps, portage....	Each.	100	30	120	250
3	3	.....	.....	6	Shaganapi (pack cord)	Bales.	2	....	4	6
		1	.....	1	Suet, salted, keg...	Cwt.	....	....	1	1
			1	1	Splinters, cedar canoe.....	Case.	1	....	.....	1
		12	.....	12	Seeds, garden assortments.....		....	....	12	12
			2	2	Timbers, cedar canoe	Bdle.	2	....	.....	2
25	15	.....	....	40	Tents, leather	Each.	30	5	5	40

NOTE.—The contractions in the foregoing headings stand for the following places:—

"Sask'n"	for	Saskatchewan	District.
"S.R."	"	Swan River	do
"R.R."	"	Red River	do
"L.L.P."	"	Lac La Pluie	do
"N.H."	"	Norway House	
"O.H."	"	Oxford House	
"Y.F."	"	York Factory	

The articles were received at and distributed from Norway House, which made the requisitions on the districts supplying them, founded upon the requisitions of the districts requiring them.

D.—PERIOD OF TRANSITION.

BRITISH NORTH AMERICA ACT, SECTION 146.[1]

ADMISSION OF OTHER COLONIES.

146. It shall be lawful for the Queen by and with the advice of Her Majesty's Most Honourable Privy Council, on addresses from the Houses of the Parliament of Canada, and from the Houses of the respective Legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the Union, and on Address from the Houses of the Parliament of Canada to admit Rupert's Land and the North-western Territory, or either of them, into the Union, on such Terms and Conditions in each Case as are in the Addresses expressed and as the Queen thinks fit to approve, subject to the Provisions of this Act; and the Provisions of any Order in Council in that Behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

[1] Unless otherwise stated, the Documents in this section are taken from Sessional Papers (No. 12) 33 Victoria.

First Steps Toward Admission of the Red River Territory to the Canadian Confederation.

(a) Memorial of Thomas Spence and Others of the Red River Settlement, to Her Majesty the Queen, Dec. 3, 1869.[1]

To Her Most Gracious Majesty
Victoria
Queen of Great Britain and Ireland.
&c., &c., &c.

The Memorial of the undersigned, Merchants, Traders, Farmers, &c., inhabitants of that part of Rupert's Land, the Red River Settlement.

Humbly Sheweth,

That Whereas, it is the earnest wish and desire of the inhabitants of this isolated portion of Your Most Gracious Majesty's Dominions in British North America to be created a Crown Colony, with a view of being ultimately embraced in the Grand Confederation of the Provinces of British North America, to foster and protect British Interests from the Atlantic to the Pacific.

Your Majesty's loyal Memorialists would here briefly set forth their reasons, that no further delay should take place in granting the Prayer of this Memorial,—The Provinces of British North America being now on the eve of a great political change; together with the settlement between Your Majesty's Government, and the Hudson's Bay Company, for the sovereignty and freehold of this valuable portion of Your Majesty's possessions—

Therefore, Your Majesty's Memorialists consider the time has now arrived, when they may fairly urge upon Your Majesty's Government, the importance of favorably considering this Memorial and Prayer of Your Majesty's loyal subjects in Rupert's Land, and thereby taking action thereon at the approaching Session of the Parliament of Great Britain.

Your Majesty's Memorialists would here humbly represent for the consideration of Your Majesty's Government, the rapid advancement of civilization and settlement by our adjoining American neighbors, now extending to the Confines of the

[1] Dominion Archives, M 155, page 348.

International Boundary Line. While notwithstanding our Superior Climate, and vast Agricultural and Mineral resources, we remain helpless to advance in developing the same, having no outlet or market, besides being entirely indebted to the enterprise of a foreign power, for any Postal, or other Communication with the outer world. The imports and exports of the country for the past year amounting to over three hundred and sixty thousand Pounds Sterling.

That this state of affairs in such a valuable portion of Your Majesty's Possessions will now cease, notwithstanding previous unsuccessful application, is the humble, and earnest hope of Your Majesty's Most loyal Memorialists—

Your Majesty's Memorialists would humbly suggest to Your Majesty's Government, as a means of the immediate development of this vast country viz., with the creation of a Crown Colony, the at once opening up of the Lake Superior route to British Columbia for Commerce and Emigration, and a regular Postal Communication, an early settlement of Indian Land Titles and the presence of a Military Detachment.

Wherefore Your Majesty's Memorialists humbly pray, that Your Most Gracious Majesty may be pleased to recommend immediate action to be taken by Your Majesty's Government on this Memorial and that the creation of this portion of the Territory of Rupert's Land known as Assiniboia, to a Crown Colony, may become law during the approaching Session of Parliament and

Your Majesty's humble Memorialists as in duty bound will Ever Pray &c

THOS. SPENCE and 200 others.

Dated 3rd
December 1866.

(b) Letter from President Thomas Spence to the Secretary of State for Colonial Affairs, Feb. 19, 1868.[1]

LA PRAIRIE, MANITOBA,
Via Red River Settlement,
February 19, 1868.

My Lord—As President elect, by the people of the newly-organized Government and Council of Manitoba, in British

[1] Alex. Begg, History of the North West, Vol. I, page 360.

territory, I have the dutiful honor of laying before your Lordship, for the consideration of Her Most Gracious Majesty, our beloved Queen, the circumstances attending the creation of this self-supporting petty government in this isolated portion of Her Majesty's Dominions, and, as loyal British subjects, we humbly and sincerely trust that Her Most Gracious Majesty, and Her advisers, will be pleased forthwith to give this government favorable recognition, it being simply our aim to develop our resources, improve the condition of the people, and generally advance and preserve British interests in this rising Far West.

An humble address from the people of this settlement to Her Majesty the Queen, was forwarded through the Governor-General of Canada, in June last, briefly setting forth the superior attractions of this portion of the British Dominions, the growing population, and the gradual influx of immigrants, and humbly praying for recognition, law, and protection, to which no reply or acknowledgment has yet reached this people.

Early in January last, at a public meeting of settlers, who number over four hundred, it was unanimously decided to at once proceed to the election and construction of a government--which has accordingly been carried out—a revenue imposed, public buildings commenced, to carry out the laws, provisions made for Indian treaties, the construction of roads, and other public works, tending to promote the interests and welfare of the people, the boundaries of the jurisdiction being, for the time, proclaimed as follows:—

North—From a point running due north from the boundary line of Assiniboia, till it strikes Lake Manitoba, thence, from the point struck, a straight line across the said Lake to Manitoba Port; thence by longitudinal line 51, till it intersects line of latitude 100.

West—By line of latitude 100 to the boundary of the United States and British America.

East—The boundary line of the jurisdiction of the Council of Assiniboia.

South—The boundary line between British North America and the United States.

I have the honor to remain, my Lord,
Your Lordship's obedient servant,

T. Spence,
Pres. of the Council.

To the Secretary of State for Colonial Affairs,
London, England.

(c) Letter from A. Morrison, M.P., to President Thomas Spence, April 4, 1868.[1]

OTTAWA, 4th April, 1868.

My dear Sir,

On the receipt of your letter, "dated 17th January last," with official communication signed by you as President of the Council of Manitoba, Rupert's Land, and countersigned by your Council; I immediately placed myself in communication with Sir John Macdonald, after reading your communication he at once placed the same before "Lord Monck" The Governor General, who then submitted it to his Council, and afterwards a Copy was ordered to be sent forthwith to the Secretary of State for the Colonies; I now send you a copy of Sir John's letter returning the Document; by it you will see that Parliament could not recognise it as official, altho privately with the Governor in Council, it has been *used* as *such*:

I feel satisfied the course adopted by the inhabitants of Manitoba for *self rule* and *protection* was a correct one; and I have no doubt this important step will bring the Hudson Bay Company and Her Majesty's Ministers into some conflict; the result of which I hope will be a temporary amicable arrangement whereby your Territory under the provisions of our Union Act will before long become part and parcel of the Dominion of Canada: When carried out you may rest assured your personal interests will not be overlooked by the writer.

With respect to that part of your letter, intimating that if Canada or England did not take immediate steps to grant your people civil rights and representation in the Parliament of Canada "An Appeal would be made to the United States authorities to recognize your Provisional Government:" on this point, I do urge you, and your Council not to make this declaration public, as it would certainly induce the Fenians to unite on your *Confines* and when an opportunity was given, to raid your Territory, and for no other purpose than to annoy the English and Canadian Governments: again my advice is be careful and do refrain from any overt Act whereby the Yankees might be induced to Volunteer Assistance, before asked to do so; However I do hope the present self movement on the part of the *Inhabitants* of *Manitoba* will bring about, not only a speedy, but a satisfactory settlement of all your long recognised neglects and wants.

[1] Dominion Archives, M. 155, pp. 360-363.

As President of the Council your name is now familiar with all the M.P.'s of our House of Commons: the fact is I have had any quantity of inquiries made about your character and standing in the settlement; all of which I kindly inclined in your *favor* adding that your Loyalty to Queen Victoria and her Dominion was equal to my own. The Hon. Darcy McGee appears to take an interest in your favour. I allowed him to peruse your communication, and his views were not to bring it before the *House* for the reasons *above mentioned.*

I have had several chats with Mr. Simpson, the M.P. for the Algoma Division, he thinks some good will come out of the course adopted by your people, he has much sympathy for you all.

I am pleased to say a new *Steamboat "first Class" called the Chicora* will be placed on Lake Huron this summer, and will make weekly trips from Collingwood to Fort William; this is one good point gained in the *right direction.*

With respect to the opening up, this summer, the road from Fort William to Fort Garry, a *difficulty* exists between the Dominion Government and the Local Government of Ontario, in regard to the expense; still I believe every thing to be done would be done if the Hudson Bay Company's claim was settled by England, so that the whole Territory might be placed in the hands of the Canadian Government.

You may rest assured all in my power will be done with our Government so as to *promote immediately* such facilities as will obtain for your people a speedy political connecteion with our Dominion.

In case Lork Monck receives a *reply* to your *communication,* and he grants me the *information,* I will immediately write you fully on the subject.

I am again reviving my old *North* West *Inland* Navigation and *Railway Company,* if (or so soon as) the H. B. Company's claim was settled, I would urge on our Government to *subsidise* the Company to build a good road with *Lake* service to Fort Garry; however you will bear in mind that patience is a *bliss;* still I admit great neglect has been made on the part of [a] Governments.

N. W. Territory:

still we must hope in the future that all will be right.

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[a] Where blank occurs the letter has been torn.

I would have written you before this, but delayed until I could give you all possible information & hoping to hear from you soon—

Yours faithfully,

A. MORRISON.

THOMAS SPENCE, ESQ.,
Portage La Prairie, Manitoba.

(d) Letter from Downing Street to President Thomas Spence, May, 30, 1868.[1]

DOWNING STREET,
May 30, 1868.

SIR,—

I am directed by the Duke of Buckingham and Chandos to inform you that your letter of the 19th February last, addressed to the Secretary of State for Foreign Affairs, has been forwarded to this Department and that His Grace has also received a copy of a letter addressed by you to Mr. Angus Morrison, a member of the Canadian Parliament, dated the 17th of January last.

In these communications you explain the measures that have been taken for creating a so-called self-supporting government in Manitoba, within the Territory of the Hudson's Bay Company.

The people of Manitoba are probably not aware that the creation of a separate government in the manner set forth in these papers has no force in law, and that they have no authority to create or organize a Government or even to set up Municipal Institutions properly so-called for themselves, without reference to the Hudson's Bay Company or to the Crown. Her Majesty's Government are advised that there is no objection to the people of Manitoba voluntarily submitting themselves to Rules and Regulations which they may agree to observe for the greater protection and improvement of the Territory in which they live, but which will have no force as regards others than those who have so submitted themselves. As it is inferred that the intention is to exercise jurisdiction over offenders in Criminal cases, to levy taxes compulsorily, and to attempt to

[1] Dominion Archives. M. 155, p. 366.

put in force other powers which can only be exercised by a properly constituted Government, I am desired to warn you that you and your Coadjutors are acting illegally in this matter, and that by the course which you are adopting you are incurring grave responsibilities.

I am, Sir,
Your Obedient Servant,

T. Fred Elliot.

2. Instructions issued to Hon. Wm. McDougall as Lieutenant Governor of the North West Territories, Sept 28, 1869.

Office of the Secretary of State for the Provinces,
Ottawa, 28th Sept, 1869.

The Hon. Mr. McDougall, C.B.,
Ottawa.

Sir,—As you have been appointed Lieutenant-Governor of the North-West Territories, in anticipation of the formal transfer of those Territories by Her Majesty to the Dominion of Canada, and as it is expected that such transfer will be made within the course of the next two or three months, I have the honor, by command of His Excellency the Governor General, to inform you that it is desirable that no time should be lost in making the necessary preliminary arrangements for the organization of the Government of the Territories.

2. With this view I am to instruct you to proceed with all convenient speed to Fort Garry, in order that you may effectually superintend the carrying out of the preliminary arrangements indicated in the preceding paragraph, and be ready to assume the Government of the Territories on their actual transfer to Canada.

3. On your arrival at Fort Garry, you will place yourself at once in communication with Mr. McTavish, the Governor of the Hudson Bay Company, and notify him of your appointment; you will, at the same time, offer seats in your Council to Mr. McTavish and to Mr. Black, or other Chief Judical Officer of the Hudson Bay Company now in the Territory. Should either or both of these gentlemen decline to accept office, you will submit, for the consideration of His Excellency, the names

of one or two other officers of the Company, whom you consider eligible to act as members of your Council. You will, at the same time, submit the names of several of the residents of character and standing in the Territory, unconnected with the Company, qualified to act as Councillors, giving particulars respecting them, and stating their comparative merits.

4. You will have the goodness to report with all convenient speed, for the information of His Excellency, on the state of the Laws now existing in the Territories, transmitting copies of any Laws, Ordinances or Regulations of the Company now in force there, together with a full report as to the mode of administering Justice, the organization of the Courts, the number and mode of appointment of Justices of the Peace, the Police arrangements, and the means adopted for keeping the peace, &c.

5. In preparing your Report on the matters referred to in the preceding paragraph, it will be well that you should confer with the Chief Judical Officer of the Company in the Territories.

6. You will have the goodness to report also upon the system of Taxation (if any) now in force in the Territories, the system of licensing Shops, Taverns, &c., the mode of regulating or prohibiting the sale of Wines, Spirituous and Malt Liquors; and further, as to the mode of keeping up the Roads, and generally on the Municipal Organization (if any) existing in the Territories.

7. You will also make a full report upon the state of the Indian tribes now in the Territories—their numbers, wants and claims; the system heretobefore pursued by the Hudson Bay Company in dealing with them—accompanied by any suggestions you may desire to offer with reference to their protection, and to the improvement of their condition.

8. You will have the goodness to report also on the nature and amount of currency or circulating medium now employed in the Territories, and of the probable requirements of the Territories in that respect in the future.

9. You will also report on the system of education (if any) which now obtains in the Territories.

10. You will also please to report as to such lands in the Territories as it may be desirable to open up at once for settlement, transmitting a plan of such survey as may be necessary, with an estimate of the cost of survey, a statement of the conditions of grants of land and settlement. The plan, should

show the number of townships it is proposed to lay out at once, the size and situation of townships, and the size of the lots, making the necessary reservation for churches, schools, roads, and other public purposes.

11. You will also report upon the relations at present existing between the Hudson Bay Company and the different religious bodies in the Territories.

12. You will also report as to the number of officers now employed by the Hudson Bay Company in the Administration of the Government of the Territories, stating the duties and salaries of such officers, and specifying those who should, in your opinion, be retained; you will also report as to the number of persons whom it will be necessary hereafter to employ in the Administration of the Government, and you will report generally on all subjects connected with the welfare of the Territories upon which it may seem to you desirable to communicate with the Government of the Dominion.

13. It is desirable that you should take immediate measures for the extension of the telegraph system from the Territory to Pembina, and for its connection at that place with the system of the American Telegraph Company or Companies, making any provisional arrangements for that purpose that may be necessary, and forwarding a copy of such arrangements to this Department for confirmation by His Excellency.

I have the honor to be, Sir,

E. A. MEREDITH,
Under Secretary of State.

(3) Notice issued to Hon. Wm. McDougall, forbidding him to enter the North West Territories, October 21, 1869.[1]

Monsieur,—

Le Comité National des Métis de la Rivière Rouge intime à Monsieur W. McDougall l'ordre de ne pas entrer sur le Territoire du Nord-Ouest sans une permission spéciale de ce Comité.

Par ordre du Président,
JOHN BRUCE,
LOUIS RIEL, Secrétaire.

Daté à St. Norbert, Rivière Rouge
Ce 21e jour d'Octobre, 1869.

[1] Sessional Papers, 33 Victoria, No. 12.

(4) Letter from J. S. Dennis to Hon. Wm. McDougall, Oct. 27, 1869.

WEDNESDAY, 27th October, 1869.
NOON.

Have just returned from a visit to the lower part of the settlement on the west side of Red River, having left yesterday afternoon.

Called upon Mr. * * and Mr. * *, and others.

From the conversation had with these different gentlemen, I am satisfied that the general disposition is in favor of receiving the incoming Government with respect, but there is no enthusiasm.

The attitude of the English speaking portion of the colony, may, I think, be fairly stated as follows:—

They say: We feel a disposition to extend a sincere welcome to the Honourable Mr. McDougall, as the gentleman who has been selected for our future Governor.

We regret sincerely that the good name of the colony should be prejudiced by any such action as that we are told is contemplated by a portion of the French half-breeds.

We consider it a most outrageous proceeding on their part, and one that we would be glad to see, if possible, put a stop to. At the same time, should an appeal to arms be necessary, we could hardly justify ourselves in engaging in a conflict, which would be, in our opinion, certain to resolve itself into one of nationalities and religions, and of which we could hardly, at present, see the termination.

We feel this way: We feel confidence in the future administration of the Government of this country under Canadian rule; at the same time, we have not been consulted in any way as a people, in entering into the Dominion.

The character of the new Government has been settled in Canada, without our being consulted. We are prepared to accept it respectfully, to obey the laws, and to become good subjects: but when you present to us the issue of a conflict with the French party, with whom we have hitherto lived in friendship, backed up, as they would be, by the Roman Catholic Church, which appears probable by the course at present being taken by the priests, in which conflict it is almost certain the aid of the Indians would be invoked, and perhaps obtained, by that party, we feel disinclined to enter upon it, and think that the

Dominion should assume the responsibility of establishing amongst us what it, and it alone, has decided upon.

At the same time, we are ready—should the Council make an appeal to the settlement, to prevent the gross outrage contemplated—by a large mounted deputation, unarmed, to meet and escort the Honourable William McDougall to Winnipeg; and thus show to the French party, now in arms, that the English-speaking portion of the colony is entirely opposed to the present threatening movement by a portion of the French half-breeds,—we will cheerfully and promptly respond to the call.

7 P. M.

Mr. * * * has just come in, and reports that about eighty of the French party, who are opposed to the views of the insurgents, met by invitation at the camp of the disaffected today; but that their remonstrances and appeals to get them to disband, were entirely without avail.

Several priests were present; among others, Père Lestanc, the Father Superior.

Père Lestanc took little or no part in the proceedings one way or another; some of the others were less scrupulous, Père Richtot declaring in favor of the stand taken, and called upon the insurgents to maintain their ground.

The appeals of this priest[1] and of the leaders of the insurgent party, had the effect of even withdrawing then and there, some twenty or thereabouts of Mr. Dease's party over to their side.

Mr. Dease thereupon withdrew his party from the ground, and they accordingly went into camp a short distance nearer to Fort Garry, where they are at present.

Mr. Dease, previous to coming to me, states that he had an interview with Governor McTavish, in which he expressed the determination of his party to remain together, and if possible to overawe the others, with which view he requested a supply of arms and ammunition.

He proposes, if these are granted to his party, to escort the Governor in.

His proposition is, for a number of his men (say fifteen) to ride down towards Pembina, and meet Mr. McDougall, and escort him straight to his residence on the Assineboine, pass-

[1] Another of the Dease party testifies that, on this occasion, the priest raved and tore his gown, addressing the assemblage in the most frantic and excited manner.

ing the "old crossing" over the river Sale, possession of which (as it is understood that there are a few men of the insurgents now at that point), should previously have been taken by another party of his men.

He does not fear that Mr. McDougall will be interfered with at any other point.

He thinks, that, once on the north side of the Assinniboine, at his own house, or at th Fort, five miles lower down, Mr. McDougall would not be subjected to any indignity.

I accompanied Mr. Dease to the Fort, and had an interview with Governor McTavish, at which Dr. Cowan was present when Mr. Dease's proposition was discussed.

The Governor, who was very feeble, and is evidently feeling the responsibility and delicacy of his position, determined to consider the matter to-night, and call in the aid of some Members of the Council to-morrow morning, and decide what course was best to be pursued.

It is worthy of remark, that Mr. Dease expressed his conviction from what had fallen from the lips of the insurgent leaders, that it would not be a matter of much regret to them, "implying that they would feel it a relief rather than otherwise, owing to the evident division among the French elements," were the Governor to find his way into the settlement by another route.

Mr. Dease remarked to me that his party were entirely without provision, and he feared, if they were obliged to go home, it might be difficult to get them together again, and so prejudice the position in favor of the insurgents; and I agreed to send him a small supply to-morrow morning, for their sustenance, until the Council shall have decided on the course to be taken.

There was no determination come to by Governor McTavish as to furnishing his party with arms.

I understood that there were three or four hundred stand of arms, the old "Brown Bess," with ammunition, at present in the Fort.

I may say further that I sent * * * , a man of influence among the French Half-breeds, but favorable to our cause, up to the French Settlement on the "White Horse Plains," on the Assiniboine, yesterday, to use his influence to prevent the people there from coming down to help the insurgents. He returned to-day, and the result of his mission is given in the annexed paper.

J. S. DENNIS.

5. Letter from Governor Mactavish to Hon. Wm. McDougall, Oct. 30, 1869.

FORT GARRY, RED RIVER,
30th October, 1869.

The Honorable William McDougall, C. B.

MY DEAR SIR,—It is with much concern I have to say that, among a certain portion of the half-breed population here, there prevails a degree of excitement at the prospect of your arrival in the country, which seems to make it necessary that in coming into the settlement, you should use great circumspection; and it is for the purpose of pointing attention to that apparent necessity that I send you this communication.

For some weeks past, rumors have been reaching me through more or less reliable channels, of dissatisfaction among the French half-breeds with the recent arrangements but believing, as I then did, that these feelings had no very deep root, I indulged the hope that they might pass away. But in this respect, I am deeply pained to say, I have been disappointed, and that, within the last few days, the feeling of discontent has manifested itself in such a manner as to create serious apprehensions for the result. After interfering with the surveying operations of Col. Dennis, these people, in considerable numbers, have combined for the avowed purpose of stopping your entrance into the settlement, and with that view they have actually taken up permanent positions on the road by which, in the usual course of travel, you would advance.

Ever since matters began to assume a serious aspect, the conduct of these people has been, I may say, constantly engaging the earnest deliberations of the local authorities, but although every effort has been made which the Council deemed prudent or practicable for bringing these misguided people to reason, and for procuring their peaceable dispersion, yet I am sorry to say that, hitherto, all has been without effect, and that the difficulty, the serious and now somewhat alarming difficulty, still remains unsolved, as to how you are to be effectually protected from molestation in approaching the settlement.

From Col Dennis I learn that, by different hands he has lately been sending you reports upon the state of matters here, and that in his last communication he has advised you to remain in Pembina, until you should ascertain, through reliable

intelligence from this, by some means or other, the course has been cleared so as to make it prudent for you to come on. It appears to me that under the circumstances, the advice so tendered by Col. Dennis was sound and judicious, and it relieved my mind from much anxiety to hear that officer express so confident a belief that you would be inclined to act upon it; although I cannot but add that I fully share in his feeling of mortification at being so circumstanced as to be constrained to counsel such a course.

I have not myself seen Col. Dennis's communications to you on the subject of these unfortunate occurrences, but he has been kind enough to read them to some members of the council, for the purpose of enabling them to judge of the accuracy and completeness of his information; and upon their assurance, I have no hesitation in saying that the contents of the Colonel's communication to you may be relied upon as conveying in the main a correct narrative of the occurrences to which they refer, and a fair representation of the popular sentiment throughout the settlement.

The question which now presses itself upon every mind is, what is to be done to secure your peaceable entrance into the settlement. So far, all our expedients have failed; and unless the efforts of a temporizing character which are still being earnestly used for the dispersion of the malcontents succeed, it is to be feared that your coming into the settlement at the present moment, would not be free from considerable danger.

From Col. Dennis's despatches and this letter you will derive as full and accurate knowledge of the position of the affairs here as I believe can very well be given in writing; and having satisfied myself that you are acquainted with all the material circumstances of the case, I think that you are now in possession of the principal data for enabling you to determine the important question of your movements; and I need not say that I shall most anxiously await your decision.

But without, of course, in any way meaning to prescribe the line to be pursued, I may be permitted to add that to those who with myself have been deliberating upon the most advisable steps to be taken in circumstances of so embarrassing and so critical a nature, there have been suggested three courses for meeting the difficulty as it now stands.

The first is, that, there happily being among even the French half-breeds a considerable element of well-disposed persons, there should be carefully selected from that section

a body of from twenty to thirty men, who, mounted and armed should proceed to Pembina and escort you to your residence in the settlement by a roundabout road, which would keep you entirely clear from the roads on which the malcontents are known to have taken up their positions.

The second is, that of making a public call upon the whole loyal portion of the settlement to turn out in the cause of order. and to the number of, say 300 unarmed able-bodied men, if such a force could be mustered, proceed to Pembina and escort you into the settlement by the usual route, whether the malcontents remain upon it or not.

And the third is, that you should remain at Pembina and await the issue of conciliatory negotiations, with the view of procuring a peaceable dispersion of the malcontents.

Now, with respect to the first of these courses, it is in my opinion, open to the grave objection, that even if it were to issue in your safe arrival amongst us, it would obviously involve a virtual acknowledgment of the ascendency of these lawless people, and would have a direct tendency to inspire them with fresh courage in the prosecution of their designs; and besides, I am strongly of opinion that, under present circumstances, your personal safety could not be sufficiently provided for by the attendance of so small a body of men as that proposed—a body large enough to provoke a collision, but probably far from strong enough to meet it.

The second is one which all along the local authorities have been pondering, but one which, as in somewhat similar emergencies on former occasions, they have hitherto shrunk from adopting, partly from a misgiving as to the extent and the spirit of the response to such a call as that proposed, and partly also, but principally, from an apprehension of precipitating a collision between different sections of the people, which might plunge not only the settlement, but the whole Territory, into all the disasters of a war of races and religions— a war, in which the legitimate object for which it had been begun would probably soon be lost sight of, and passion and prejudice alone animate the minds of those engaged in it.

To the Council and myself it appears that, under present circumstances, the third proposal is the only one that can be regarded as prudent or practicable; and it is therefore our opinion that you should remain at Pembina and await the issue of conciliatory negotiations, in the hope of procuring a peaceable dispersion of the malcontents.

I have only to add that, although this letter proceeds ostensibly from myself, it embodies the views of the Council of Assinniboine, and that, at a meeting of the Council to-day, held for the express purpose, it was unanimously adopted as the communication which I should immediately make you.

Earnestly hoping that ere long some peaceable solution of all these difficulties may be arrived at.

I remain, my dear Sir, yours faithfully,

W. McTavish.

6. Letter from Hon. Wm. McDougall to Governor Mactavish, Nov. 2, 1869.

Pembina, 2nd November. 1869.

Governor McTavish, &c., Fort Garry.

My Dear Sir,—I have the honour to acknowledge the receipt, by the hands of Col. Dennis, of your letter of the 30th October. announcing the assemblage of a body of armed men upon the public road near Fort Garry, for the avowed purpose of preventing my entrance into the settlement. Col. Dennis had already apprised me of the movements and designs of these people, and as you state that his communications to me had been shown to, and approved as to the statements contained, by the members of your Council, I have no doubt that I am now in possession of sufficient information to enable me to understand the origin and nature of the outbreak which your Government has been unable to prevent, and which obstructs, for the present my further progress into the country.

I have acted upon the suggestion of Col. Dennis (repeated and confirmed by you), that I should delay a few days at Pembina, in the hope that the measures you have taken may result in the withdrawal of the armed parties from their present position. As you are aware, the transfer of the Territory and the powers of government entrusted to you is to take effect on a day to be named in Her Majesty's Royal Proclamation; until that day arrives (which I am informed will be about the 1st day of December next), you are the legal ruler of the country, and responsible for the preservation of the public

peace. My commission authorizes and commands me to assume and exercise the powers of government from and after that day. I am instructed to proceed in the meantime to the Territory and report on certain subjects, and make preparations for the new state of things.

In these circumstances you will see that the legal authority to resist any lawless exhibition of force which may occur previous to the actual transfer of the powers of government, is in other hands than mine. You have not, it appears, felt justified in calling upon the loyal and well-disposed inhabitants of the country to aid you in the suppression of the outbreak of which you have notified me. I must, therefore, conclude that your better knowledge of the disposition of the people and of the means at your disposal to enforce your authority, convinces you that such a call would prove ineffectual; but I cannot help thinking that a proclamation from your Government, explaining the provisions of the late Imperial Act respecting the Territory, and the authority under which the new Government will exercise its powers, at the same time warning the malcontents of the serious nature of the crime they meditated, and the grave consequences to all concerned, that must result from its commission, would have been well-timed, and perhaps sufficient to prevent the designing men at the head of this movement from accomplishing their purposes. I understand from Col. Dennis that no proclamation or warning has as yet been published at Fort Garry, under official sanction.

I am unwilling, at this distance from the scene of action, and in the circumstances by which I am surrounded, to make any other suggestion. Perhaps the measures you have taken may prove successful.

I sincerely hope they may, and remain,

My dear Sir,

Very faithfully, &c., &c., &c.,

Wm. McDougall.

7. Public Notice to the Inhabitants of Rupert's Land, Nov. 6, 1869.

"The President and Representatives of the French-speak-
"ing population of Rupert's Land in Council (the invaders

"of our rights being now expelled), already aware of your "sympathy, do extend the hand of friendship to you our "friendly inhabitants, and in doing so, invite you to send "twelve representatives from the following places, viz:—

"St. John's, 1; St. Margaret's, 1; Headingly, 1; St. James, "1; St. Mary's, 1; Kildonan, 1; St. Paul's 1; St. Andrew's, "1; St. Clement's, 1; St. Peter's, 1; town of Winnipeg, 2;—in "order to form one body with the above Council, consisting of "twelve members, to consider the present political state of this "country, and to adopt such measures as may be deemed best, "for the future welfare of the same.

"A meeting of the above Council will be held in the Court "House at Fort Garry, on Tuesday the 16th day of November, "at which the invited representatives will attend.

"Winnipeg, November 6th, 1869.

"By order of the President,

"Louis Riel, Secretary."

8. Letter from Mr. Snow to Hon. Wm. McDougall, Nov. 9, 1869.

Fort Garry, November 9th.

"Council in deliberation to-day on yours. Received all "right. Decision not known. Saddle will fall on right horse. "Call" made on the different parishes by manifesto of Riel, "who seized "Nor' Wester" Office, and by force used the "press. English and Scotch parishes will not respond.

"Issue Proclamation. and then you may come fearlessly "down. Hudson's Bay Company evidently shaking.

"By no means leave Pembina."

9. Appeal of residents of Winnipeg to Governor McTavish, of the Hudson's Bay Company, and Proclamation issued by him November 16, 1869, in accordance therewith.

Town of Winnipeg,
November 12th, 1869.

To William McTavish, Esq.,
Governor Hudson's Bay Company, Fort Garry.

We, the undersigned residents of the Town of Winnipeg, and loyal subjects of Her Majesty the Queen of Great Britain and Ireland,

Beholding, with great alarm, the unsettled state of feeling existing in this Territory, and the threatening position assumed by a portion of its French speaking population towards the Crown, in the person of Her Majesty's representative, the future Governor of this Territory; and, believing, as we do, that this disaffection or dissatisfaction is the result of various slanderous interpretations having been from time to time disseminated among the people by persons unknown:

We do, therefore, now demand that you, as the representative of Her Majesty in this Territory, do proclaim among the people, either by convening a public meeting for that purpose, or posting in conspicuous places throughout the Country, a full and correct exposition of the nature of the transfer of this Territory to the Dominion of Canada.

We also request that you will explain, so far as lies in your power, the policy likely to be adopted by the Canadian authorities relative to the governing of the Territory.

Also, that you deny the numerous libellous slanders which are in circulation regarding the purposes for which the Territory was acquired. That you warn them of the danger they are incurring to themselves by persistence in their present violent course, thereby imperilling the future welfare of the Country; and that you do entreat them to lay down their arms, and return peaceably to their homes.

PROCLAMATION.

Whereas, I, William McTavish, Governor of Assiniboine, have been informed that a meeting is to be held to-day of persons from the different districts of the Settlement, for the ostensible purpose of taking into consideration the present political condition of the Colony, and for suggesting such measures as may appear to be best adapted for meeting the difficulties and danger connected with the existing state of public affairs.

And, whereas, I deem it advisable, at this juncture, to place before that meeting, as well as before the whole body of the people, what it appears to be necessary for me to declare in the interest of public order, and of the safety and welfare of the Settlement;

Therefore, I notify all whom it concerns that, during the last few weeks, large bodies of armed men have taken positions on the public high-road to Pembina, and, contrary to the remon-

strances and protests of the public authorities, have committed the following unlawful acts:—

First.—They have forcibly obstructed the movements of various persons travelling on the public highway in peaceable prosecution of their lawful business, and have thus violated that personal liberty which is the undoubted right of all Her Majesty's subjects.

Secondly.—They have unlawfully seized and detained, on the road at La Rivière Sale, in the parish of St. Norbert, goods and merchandize, of various descriptions, and of very considerable value, belonging as well to persons coming into the Colony as to persons already settled here and carrying on their business in the Settlement, thereby causing great loss and inconvenience not only to the owners of these goods, but, as has formally been complained of, also to the carriers of the same, and possibly involving the whole Colony in a ruinous responsibility.

Thirdly.—They have unlawfully interfered with the public mails, both outgoing and incoming, and by that tampering with the established means of communication between the Settlement and the outside world, have shaken public confidence in the security of the mails, and given a shock to the trade and commerce of the Colony, of which the mischievous efforts cannot now be fully estimated.

Fourthly.—Not only without permission, but in the face of repeated remonstrations on the part of the Hudson Bay's Company's officer in immediate charge of Fort Garry, they have, in numbers varying from about sixty to one hundred and twenty, billeted themselves on that establishment, under the plea of protecting it from a danger which they alleged was known by themselves to be imminent, but of which they have never yet disclosed the particular nature. They have placed armed guards at the gates of an establishment, which every stick and stone of it is private property; in spite of the most distinct protestations against such a disregard of the rights of property, they have taken possession of roads within the Fort; and, although they have there as yet committed no direct act of violence to person or property beyond what has been enumerated, yet, by their presence in such numbers, with arms for no legitimate purpose that can be assigned, they have created a state of excitement and alarm within and around the Fort which seriously interferes with the regular business of the establishment.

Fifthly.—A body of armed men have entered the Hudson Bay's Company's Post at Pembina, where certain gentlemen

from Canada, with their families, were peaceably living; and, under threats of violence, have compelled them to quit the establishment at a season of the year when the rigors of winter were at hand, and forced them to retire within American Territory.

And, in the last place, they have avowed it as their intention, in all those unlawful proceedings, to resist arrangements for the transfer of the government of this Country, which have been made under the sanction of the Imperial Parliament, and of virtually setting at defiance the royal authority. instead of adopting those lawful and constitutional means which, under the enlightened rule of Her Most Gracious Majesty our Queen, are sufficient for the ultimate attainment of every object that rests upon reason and justice; the persons who have been engaged in committing those unlawful deeds, have resorted to acts which directly tend to involve themselves in consequences of the gravest nature, and to bring upon the Colony and the Country at large, the evils of anarchy and the horrors of war.

Therefore, in the interests of law and order, in behalf of all the securities you have for life and property, and, in a word, for the sake of the present and future welfare of the Settlement and its inhabitants, I again earnestly and emphatically protest against each and all of these unlawful acts.

I charge those engaged in them, before they are irretrievably and hopelessly involved, immediately to disperse themselves and peaceably to depart to their habitations, or to their lawful business, under the pains and penalties of law; and whatever in other respects may be the conclusions of those who meet to deliberate upon the present critical and distracted state of public affairs, I adjure you as citizens, having the interests of your country and your kindred at heart, to ratify and proclaim, with all the might of your united voices, this public notice and protest, and so avert from the Country a succession of evils, of which those who see the beginning may never see the end.

You are dealing with a crisis out of which may come incalculable good or immeasurable evil, and with all the weight of my official authority, and all the influence of my individual position, let me finally charge you to adopt only such means as are lawful and constitutional, rational and safe.

Given under my hand and seal, at Fort Garry, this 16th day of November, 1869.

W. McTavish,
Governor of Assiniboine.

10. Proclamation by Hon. Wm. McDougall, Dec. 1, 1869.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c.

WILLIAM MCDOUGALL.

To all whom it may concern,—GREETING:

[L. S.]

PROCLAMATION.

Whereas, by "The British North America Act, 1867," it was (amongst other things) enacted, that it should be lawful for Her Majesty, by and with the advice of Her Majesty's Most Honorable Privy Council, on Address from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union or Dominion of Canada, on such terms and conditions as are in the Address expressed, and as Her Majesty thinks fit to approve.

And, whereas, for the purpose of carrying into effect, the said provisions of "The British North America Act, 1867," "The Rupert's Land Act, 1868," enacted and declared, that it should be competent for "the Governor and Company of Adventurers of England trading into Hudson's Bay," to surrender to Her Majesty, and for Her Majesty, by any instrument under Her sign manual, and signet, to accept a surrender of all, or any of the lands, territories, powers, and authorities, whatsoever, granted, or purported to be granted, by certain Letters Patent of His Late Majesty *King Charles* the Second, to the said Governor and Company within *Rupert's Land,* upon such terms and conidtions as should be agreed upon, by and between Her Majesty, and the said Governor and Company.

And, whereas, by "The Rupert's Land Act 1868," it is further enacted, that from the date of the admission of Rupert's Land into the Dominion of Canada, as aforesaid, it shall be lawful for the Parliament of Canada to make, ordain, and establish, within the said land and territory so admitted, as aforesaid, all such laws, institutions and ordinances, and to constitute such courts and officers as may be necessary for the peace, order, and good government of Her Majesty's subjects, and others therein;

And, whereas, it is further provided by the said Act, that until otherwise enacted by the said Parliament of Canada, all the powers, authorities, and jurisdiction, of the several courts of justice, now established in Rupert's Land, and of the several officers thereof, and of all magistrates and justices, now acting within the said limits, shall continue in full force and effect therein;

And, whereas, the said Governor and Company have surrendered to Her Majesty, and Her Majesty has accepted a surrender of all the lands, territories, rights, privileges, liberties, franchises, powers and authorities granted, or purported to be granted, by the said Letters Patent, upon certain terms and conditions agreed upon by and between Her Majesty, and the said Governor and Company;

And, whereas, Her Majesty, by and with the advice of Her Majesty's most Honorable Privy Council, and on an Address from both the Houses of the Parliament of Canada, in pursuance of the one hundred and forty-sixth section of "The British North America Act, 1869," hath declared that Rupert's Land and the North-Western Territory, shall, from the *first day* of December, in the year of Our Lord one thousand eight hundred and sixty-nine, be admitted into, and become part of the Dominion of Canada, upon the terms and conditions expressed in the said Address, of which Her Majesty has approved, and *Rupert's Land,* and the said *North-Western Territory,* are admitted into the Union, and have become part of the *Dominion of Canada* accordingly;

And, whereas, the Parliament of Canada by an Act intituled: "An Act for the Temporary Government of Rupert's Land and the North-Western Territory, when united with Canada," enacted that it should be lawful for the Governor, by any order, or orders, to be by him, from time to time, made with the advice of the Privy Council (and subject to such conditions and restrictions as to him should seem meet), to authorize and empower such officer as he may, from time to time, appoint, as Lieutenant-Governor of the North-West Territories, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, and institutions and ordinances as may be necessary for the peace, order and good government of Her Majesty's subjects, and others therein.

Now know Ye, that we have seen fit, by Our Royal Letters Patent, bearing date the twenty-nine day of September, in the year of Our Lord one thousand eight hundred and sixty-nine to appoint the Honorable William McDougall, of the City of Ottawa, in the Province of Ontario, in Our Dominion of Canada, and Member of Privy Council for Canada, and Companion of Our Most Honorable Order of the Bath, on, from, and after the day to be named by *Us,* for the admission of Rupert's Land and the North Western Territory, aforesaid, into the Union or Dominion of Canada, to wit; or from and after the first day of December, in the year of Our Lord one thousand eight hundred and sixty-nine, to be, during our pleasure, the *Lieutenant Governor* of the North-West Territories;

And we did thereby authorize, and empower, and require and command him, in due manner, to *Do* and *Execute,* in all things that shall belong to his said command, and the *Trust* we have reposed in him, according to the several provisions and instructions granted, or appointed him, by virtue of our said Commission, and the Act of the Parliament of Canada herein before recited, and according to such instructions as have been, or may, from time to time, be given to him, and to such Laws as are or shall be enforced within the North-West Territories.

Of all which our Loving Subjects of Our Territories, and all others, whom these Presents may concern, are hereby required to take notice, and govern themselves accordingly.

In Testimony Whereof, we have caused these, Our Letters, to be made Patent, and the Great Seal of Our North-West Territories to be hereunto affixed: Witness Our Trusty and Well Beloved, The Honorable William McDougall, Member of Our Privy Council for Canada, and Companion of Our Most Honorable Order of the Bath, Lieutenant Governor of Our North-West Territories, &c., &c., &c., At the Red River, in our aforesaid North-West Territories, this first day of December, in the year of Our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Her Reign.

By command.

J. A. N. PROVENCHER,
Secretary.

11. Commission appointing Col. Dennis, Lieutenant and Conservator of the Peace, Dec. 1, 1869.

THE NORTH-WEST TERRITORIES.

[L. S.]

By His Excellency the Honorable William McDougall, a Member of Her Majesty's Privy Council for Canada, and Companion of the Most Honorable Order of the Bath, Lieutenant-Governor of the North-West Territories.

To JOHN STOUGHTON DENNIS, Esq., Lieutenant-Colonel Military Staff, Canada,

GREETING:

Whereas, large bodies of armed men have unlawfully assembled on the high road, between Fort Garry and Pembina, in the Colony or District of Assinniboine, and have, with force and arms, arrested, and held as prisoners, numerous private and official persons, and preventing them from proceeding on their lawful journey and business, and have committed other acts of lawless violence, in contempt and defiance of the magistrates and local authorities;

And whereas, William McTavish, Esq., Governor of Assinniboine, did on the sixteenth day of November last, publish and make known to these armed men, and all others, whom it might concern, that the lawless acts aforesaid, and which were particularly set forth in his Proclamation, were, "contrary to the remonstrances and protests of the public authorities," and did therein himself protest against each and all, of the said unlawful acts and intents, and charged and commanded the said armed persons to immediately disperse themselves, and peaceably to depart to their habitations or lawful business under the pains and penalties of the law;

And, whereas, since the issue of the said protest or Proclamation, certain of the armed men aforesaid, have taken possession of the public records and papers at Fort Garry, and have seized and held as prisoners, the public officers or persons having charge of the same, and, as I am creditably informed, still keep unlawful possession of the said records and public property, and with force and arms continue to obstruct public officers, and others, in the performance of their lawful duty and business, to the great terror, loss, and injury of Her Majesty's peaceful subjects, and in contempt of Her Royal authority;

And, whereas, Her Majesty, by Letters Patent, under the Great Seal of the Dominion of Canada, bearing date the twenty-ninth day of September, in the year of our Lord one thousand eight hundred and sixty-nine, has been graciously pleased to appoint me to be, from and after the first day of December instant, Lieutenant Governor of the North-West Territories, and did authorize and command me to do and execute all things in due manner that should belong to my said command.

Know You, that reposing trust and confidence in your courage, loyalty, fidelity, discretion, and ability, and under and in virtue of the authority in me vested, I have nominated and appointed, and, by these presents, do nominate and appoint you, the said John Stoughton Dennis, to be my Lieutenant and a Conservator of the Peace in and for the North-West Territories, and do hereby authorize and empower you as such to raise, organize, arm, equip and provision, a sufficient force within the said Territories, and with the said force, to attack, arrest, disarm, or disperse the said armed men so unlawfully assembled and disturbing the public peace; and for that purpose, and with the force aforesaid, to assault, fire upon, pull down, or break into any fort, house, stronghold, or other place in which the said armed men may be found; and I hereby authorize you, as such Lieutenant and Conservator of the Peace, to hire, purchase, impress, and take all necessary clothing, arms, ammunition, and supplies, and all cattle, horses, wagons, sleighs, or other vehicles, which may be required for the use of the force to be raised as aforesaid; and I further authorize you to appoint as many officers and deputies under you, and to give them such orders and instructions, from time to time, as may be found necessary for the due performance of the services herein required of you, reporting to me the said appointments, and orders, as you shall find opportunity, for confirmation or otherwise; and I hereby give you full power and authority to call upon all magistrates and peace officers to aid and assist you, and to order all or any of the inhabitants of the North-West Territories, in the name of Her Majesty the Queen, to support and assist you in protecting the lives and properties of Her Majesty's loyal subjects, and in preserving the public peace, and for that purpose, to seize, disperse, or overcome by force, the said armed men, and all others, who may be found aiding or abetting them in their unlawful acts.

And the said persons so called upon in Her Majesty's name,

are hereby ordered and enjoined, at their peril, to obey your orders and directions in that behalf; and this shall be sufficient warrant for what you or they do in the premises, so long as this Commission remains in force.

Given under my hand and seal at arms, at Red River, in the said Territories, this the first day of December, in the year of our Lord one thousand eight hundred and sixty-nine, and in the thirty-third year of Her Reign.

WILLIAM MCDOUGALL.

By Command.

J. A. N. PROVENCHER, Secretary.

12. Proclamation by Hon. Wm. McDougall, Dec. 2, 1869.

[L.S.]

THE NORTH-WEST TERRITORIES.

By His Excellency, the Honorable William McDougall, a Member of Her Majesty's Privy Council for Canada, and Companion of the Most Honorable Order of the Bath, Lieutenant Governor of the North-West Territories, &c., &c., &c.

To all whom these Presents shall come—GREETING:—

A PROCLAMATION ! ! !

WHEREAS, Her Majesty THE QUEEN, by Letters Patent, under the Great Seal of the *Dominion of Canada,* bearing date the *twenty-ninth* day of *September,* in the year of Our Lord one thousand eight hundred and *sixty-nine,* in the thirty-third year of Her Majesty's Reign, has been graciously pleased to *constitute* and *appoint me,* on, from and after the day to be named by *Her Majesty,* for the admission of Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, to be LIEUTENANT GOVERNOR in and over *The North-West Territories,* during Her Majesty's pleasure, and did thereby authorize and empower and require and command me, on, from and after the day aforesaid, to *do* and *execute* all

things in due manner that shall belong to my said command and the trust reposed in me, according to the several powers and instructions granted or appointed me by that, Her Majesty's Commission, and of the Act of Parliament passed in the thirty-second year of Her Majesty's Reign, intituled, "An Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada," and the instructions given me with such Commission, or by such further instructions as may hereafter be given me in respect of the North-West Territories and the Government thereof, by *Her Majesty's Governor General* in Council, under his sign manual, or through one of *Her Majesty's Privy Council of Canada,* and according to such laws as are now, and shall hereafter be in force in the said *North-West Territories.*

And Whereas, Her Majesty has declared and named the *first* day of *December* instant, as the day for the admission of *Rupert's Land* and *the North-Western Territory* into the *Union* and *Dominion of Canada; and Whereas,* by virtue and in pursuance of "The British North America Act, 1867"; "The Rupert's Land Act, 1868," the said "Act for the Temporary Government of Rupert's Land and the North-Western Territory, when united with Canada," and the said Declaration and Order of Her Majesty, Rupert's Land and the North Western Territory have been admitted into Union with, and have become and are now part of the Dominion of Canada, and are henceforth to be styled and known as *"The North-West Territories."*

Now Know Ye, that I have thought fit to issue this *Proclamation,* to make known Her Majesty's *said appointment* to all officers, magistrates, subjects of Her Majesty, and others within the said *"The North-West Territories";—and I do hereby require* and *command* that *all* and *singular,* the public officers and functionaries, holding office in Rupert's Land, and the North-Western Territory, at the time of their admission into the Union as aforesaid, excepting the public officer or functionary at the head of the Administration of affairs, do continue in the execution of their several and respective offices, duties, places and employments, *until otherwise ordered* by *me,* under the authority of the said last mentioned Act; *and I do hereby further* require and command that all Her Majesty's loving subjects, and all others whom it may concern, do take notice and govern themselves accordingly.

Given under my hand and *Seal-at-Arms,* at *Red River,* in the said *Territories, this Second* day of December, in the year of Our Lord, one thousand eight hundred and sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

WM. MCDOUGALL.

By Command.

J. A. N. PROVENCHER,
Secretary.

(I have asked Mr. Provencher to sign as Secretary, his formal appointment depending upon the course of events, and the requirements of the Act.)

WM. MCDOUGALL.

13. Proclamation of Sir John Young, Governor General of Canada, Dec. 6, 1869.

By His Excellency the Right Honorable Sir JOHN YOUNG, Baronet, a Member of Her Majesty's Most Honorable Privy Council, Knight Grand Cross of the Most Honorable Order of the Bath, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Governor General of Canada.

To all and every the Loyal Subjects of Her Majesty the Queen, and all to whom these Presents shall come,

GREETING:

The QUEEN has charged me, as Her representative, to inform you that certain misguided persons in Her Settlements on the Red River, have banded themselves together to oppose by force the entry into Her North-Western Territories of the officer selected to administer, in Her Name, the Government, when the Territories are united to the Dominion of Canada, under the authority of the late Act of the Parliament of the United Kingdom; and that those parties have also forcibly, and with violence, prevented others of Her loyal subjects from ingress into the country.

Her Majesty feels assured that she may rely upon the loyality of Her subjects in the North-West, and believes those men, who have thus illegally joined together, have done so from some misrepresentation.

The Queen is convinced that in sanctioning the Union of the North-West Territories with Canada, she is promoting the best interest of the residents, and at the same time strengthening and consolidating her North American possessions as part of the British Empire. You may judge then of the sorrow and displeasure with which the Queen views the unreasonable and lawless proceedings which have occurred.

Her Majesty commands me to state to you, that she will always be ready through me as her representative, to redress all well founded grievances, and that she has instructed me to hear and consider any complaints that may be made, or desires that may be expressed to me as Governor General. At the same time she has charged me to exercise all the powers and authority with which she has entrusted me in the support of order, and the suppression of unlawful disturbances.

By Her Majesty's authority I do therefore assure you, that on the union with Canada all your civil and religious rights and privileges will be respected, your properties secured to you, and that your Country will be governed, as in the past, under British laws, and in the spirit of British justice.

I do, further, under her authority, entreat and command those of you who are still assembled and banded together in defiance of law, peaceably to disperse and return to your homes, under the penalties of the law in case of disobedience.

And I do lastly inform you, that in case of your immediate and peaceable obedience and dispersion, I shall order that no legal proceeding be taken against any parties implicated in these unfortunate breaches of the law.

Given under my hand and Seal at Arms at Ottawa, this Sixth day of December, in the year of our Lord, One Thousand Eight Hundred and Sixty-nine, and in the Thirty-third year of Her Majesty's Reign.

[SEAL]

By Command.

JOHN YOUNG.

H. L. Langevin,
Secretary of State.

14. Letter from Hon. Joseph Howe to Hon. Wm. McDougall, Dec. 7, 1869.

DEPARTMENT OF SECRETARY OF STATE FOR THE PROVINCES.
Ottawa, December 7th, 1869.

To the Honorable Wm. McDougall, C.B.

SIR,—I had the honor to address to you Despatches on the 19th and 29th November, which, in view of the insecurity of the mails, were enclosed to a friend at St. Paul, to be sent forward, if possible, by private hand. For fear that they may have miscarried, duplicates are annexed to this.

Your Despatch of the 13th ult., with its enclosures, from ("A") to ("E") reached me on the 3rd inst., and was immediately laid before the Council. Copies will be sent to the Colonial Secretary this week.

I have now the honor to inform you that the Very Rev. Mr. Thibault, accompanied by Charles de Salaberry, Esq., proceeds to-morrow, *via* St. Paul and Pembina to Fort Garry, for the purpose of assisting in putting down the unlawful assemblage of people on the Red River, and obtaining access for the Canadian Authorities into the North-West.

Mr. Thibault has had great experience in that country, having been for 37 years a priest there, and having only left it last year.

Mr. de Salaberry has also had considerable experience in dealing with the French half-breeds.

After consulting with you, they will take such action with these people as they think most calculated to carry out our objects, and it may, perhaps, be politic that they should have as little open communication with you as possible.

It is, of course, advisable not to arouse the suspicions of the Insurgents, who would be very likely to view with disfavor any persons coming directly as agents from you, and acting under your instructions; you will, however, be good enough to strengthen their hands as much as possible.

With them we send you a Proclamation issued by the Governor General by the direct command of Her Majesty. This should be widely disseminated, in such a manner and at such a time as you think most expedient. It has also been thought well to print copies of your Letter of Instructions, which will, of itself, show how unfounded is the charge that the North-

West is to be governed without the interposition or aid of the residents, but by Canadians solely.

Messrs. Thibault and de Salaberry will be followed by Donald A. Smith, Esq., the Hudson's Bay Agent at Montreal, who now occupies the position formerly held by Mr. Hopkins. In his capacity as an officer of the Hudson's Bay Company, he will obtain ready access to the country and to Governor McTavish; and it is hoped that he will be able to strengthen that gentleman in his attempts to restore law and order at Fort Garry.

In order to give his representations due weight and importance, Mr. Smith has been asked to act as a Commissioner holding confidential relations with the Canadian Government. In that capacity, having once reached Fort Garry, he will be able to speak authoritatively as to the beneficent intentions of the Government.

We hope that calmer counsels will soon prevail, and that these misguided people will disperse. So soon as they do so, you will, I presume, proceed to Fort Garry and carry out your instructions.

It will be well for you to arrange for sending messages to St. Cloud, so that we may know by telegraph that order has been restored. On receiving this intimation, His Excellency will communicate the fact, by cable message, to the Colonial Office, and the Proclamation will be at once issued. It has been hitherto delayed, so that the authority of the Hudson's Bay Company might continue unimpaired, until it was replaced by the Canadian Government, as represented by you.

I have the honor also to send you an Order in Council, passed this day, on the subject of Customs duties.

You will now be in a position, in your communication with the residents of the North-West, to assure them:—

1. That all their civil and religious liberties and privileges will be sacredly respected.

2. That all their properties, rights, and equities of every kind, as enjoyed under the Government of the Hudson's Bay Company, will be continued them.

3. That, in granting titles to land now occupied by the settlers, the most liberal policy will be pursued.

4. That the present tariff of Customs duties will be continued for two years, from the 1st January next, except in the case of spirituous liquors, as specified in the Order in Council above alluded to.

5. That in forming your Council, the Governor General will see that not only the Hudson's Bay Company, but the other classes of the residents, are fully and fairly represented.

6. That your Council will have the power of establishing municipal self-government at once and in such manner as they think most beneficial to the Country.

7. That the Country will be governed, as in the past, by British law, and according to the spirit of British justice.

8. That the present Government is to be considered as merely provisional and temporary, and that the Government of Canada will be prepared to submit a measure to Parliament, granting a liberal constitution so soon as you, as Governor, and your Council have had an opportunity of reporting fully on the wants and requirements of the Territory.

You had, of course, instructions on all the above-mentioned points, excepting as regards the tariff, before you left Ottawa, but it has been thought well that I should repeat them to you in this authoritative form.

Trusting that ere long you may be in a position to carry these liberal propositions practically into the administration of the affairs of the North-West.

I have, &c.

JOSEPH HOWE.

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16. Proclamation by the Provisional Government, Dec. 8, 1869.

DECLARATION OF THE PEOPLE OF RUPERT'S LAND AND THE NORTH-WEST.

Whereas, it is admitted by all men, as a fundamental principle, that the public authority commands the obedience and respect of its subjects. It is also admitted, that a people, when it has no Government, is free to adopt one form of Government, in preference to another, to give or to refuse allegiance to that which is proposed. In accordance with the above first principle the people of this country had obeyed and respected the authority to which the circumstances which surrounded its infancy compelled it to be subject.

A company of adventurers known as the "Hudson Bay Company," and invested with certain powers, granted by His Ma-

jesty (Charles II), established itself in Rupert's Land, and in the North-West Territory, for trading purposes only. This Company, consisting of many persons, required a certain constitution. But as there was a question of commerce only, their constitution was framed in reference thereto. Yet, since there was at that time no Government to see to the interest of a people already existing in the country, it became necessary for judicial affairs to have recourse to the officers of the Hudson Bay Company. This inaugurated that species of government which, slightly modified by subsequent circumstances, ruled this country up to a recent date.

Whereas, that Government, thus accepted, was far from answering to the wants of the people, and became more and more so, as the population increased in numbers, and as the country was developed, and commerce extended, until the present day, when it commands a place amongst the colonies; and this people, ever actuated by the above-mentioned principles, had generously supported the aforesaid Government, and gave to it a faithful allegiance, when, contrary to the law of nations, in March, 1869, that said Government surrendered and transferred to Canada all the rights which it had, or pretended to have, in this Territory, by transactions with which the people were considered unworthy to be made acquaintd.

And, whereas, it is also generally admitted that a people is at liberty to establish any form of government it may consider suited to its wants, as soon as the power to which it was subject abandons it, or attempts to subjugate it, without its consent to a foreign power; and maintain that no right can be transferred to such foreign power. Now, therefore, first, we, the representatives of the people, in Council assembled in Upper Fort Garry, on the 24th day of November, 1869, after having invoked the God of Nations, relying on these fundamental moral principles, solemnly declare, in the name of our constituents, and in our own names, before God and man, that, from the day on which the Government we had always respected abandoned us, by transferring to a strange power the sacred authority confided to it, the people of Rupert's Land and the North-West became free and exempt from all allegiance to the said Government. Second. That we refuse to recognize the authority of Canada, which pretends to have a right to coerce us, and impose upon us a despotic form of government still more contrary to our rights and interests as British subjects, than was that Government to which we had subjected ourselves, through necessity

up to recent date. Thirdly. That, by sending an expedition on the 1st November, ult., charged to drive back Mr. William McDougall and his companions, coming in the name of Canada, to rule us with the rod of despotism, without previous notification to that effect, we have acted conformably to that sacred right which commands every citizen to offer energetic opposition to prevent this country from being enslaved. Fourth. That we continue, and shall continue, to oppose, with all our strength, the establishing of the Canadian authority in our country, under the announced form; and, in case of persistence on the part of the Canadian Government to enforce its obnoxious policy upon us by force of arms, we protest beforehand against such an unjust and unlawful course; and we declare the said Canadian Government responsible, before God and men, for the innumerable evils which may be caused by so unwarrantable a course. Be it known, therefore, to the world in general, and to the Canadian Government in particular, that, as we have always heretofore successfully defended our country in frequent wars with the neighbouring tribes of Indians, who are now on friendly relations with us, we are firmly resolved in future, not less than in the past, to repel all invasions from whatsoever quarter they may come; and, further more, we do declare and proclaim, in the name of the people of Rupert's Land and the North-West, that we have, on the said 24th day of November, 1869, above mentioned, established a Provisional Government, and hold it to be the only and lawful authority now in existence in Rupert's Land and the North-West which claims the obedience and respect of the people; that, meanwhile, we hold ourselves in readiness to enter in such negociations with the Canadian Government as may be favourable for the good government and prosperity of this people. In support of this declaration, relying on the protection of Divine Providence, we mutually pledge ourselves, on oath, our lives, our fortunes, and our sacred honor, to each other.

Issued at Fort Garry, this Eighth day of December, in the year of our Lord, One thousand eight hundred and sixty-nine.

JOHN BRUCE, Pres.
LOUIS RIEL, Sec.

16. Commission issued to Donald A. Smith appointing him Special Commissioner, Dec. 17, 1869.

CANADA.

VICTORIA, BY THE GRACE OF GOD, &c.

To Donald A. Smith, of the City of Montreal, in the Province of Quebec, and Dominion of Canada, Esquire, and to all others to whom the same may in any wise concern,

GREETING:

WHEREAS, by an Act of the Parliament of Canada, passed in the thirty-second and thirty-third years of Our Reign, intituled: "An Act for the temporary Government of Rupert's Land and the North-West Territory, when united to Canada," it is recited that it is probable that we may be pleased to admit Rupert's Land and the North-West Territory into the Union of the Dominion of Canada, before the then next Session of the Canadian Parliament, and that it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by us for the Civil Government of such Territories, until more permanent arrangements can be made by the Government and Legislature of Canada, and it is by the said Act in effect enacted that our Governor may authorize and empower such officer as he may appoint as Lieutenant Governor of the North-West Territories, and who shall administer the Government as by the said Act contemplated.

And, whereas, in the preparation for the transfer of the said Territories, Our Governor of Canada was pleased to send the Honourable Wm. McDougall, the gentleman selected to be the Lieutenant Governor as aforesaid, on its union with Canada, in advance and in anticipation of the union, and his entry into the said Territories was obstructed and prevented by certain armed parties who have declared their discontent and dissatisfaction at the proposed union, and their intention to resist the same by force.

And, whereas, it is expedient that inquiry should be had into the causes and extent of such obstructing, opposition and discontent, as aforesaid.

Now know ye, that having confidence in your honesty, fidelity, and integrity, we do, by these presents, nominate, constitute, and appoint you, the said Donald A. Smith, to be our Special Commissioner, to enquire into the causes, nature, and extent of the obstruction offered at the Red River, in the North-West Territories, to the peaceable ingress of the Honourable William McDougall, and other parties, authorized by our Governor General of Canada to proceed into the same; and also to enquire into the causes of discontent and dissatisfaction alleged to exist in respect to the proposed union of the said North-West Territories with the Dominion of Canada; and further to explain to the inhabitants of the said Country, the principles on which the Government of Canada intends to administer the Government of the Country, according to such instructions as may be given to you by Our Governor in Council in this behalf; and to take steps to remove any misapprehensions which may exist in respect to the mode of Government of the same, and to report to Our Governor General the result of such enquiries; and on the best mode of quieting anl removing such discontent and dissatisfaction; and also to report on the most proper and fitting mode for effecting the speedy transfer of the Country and Government from the authority of the Hudson's Bay Company to the Government of Canada, with the general assent of the inhabitants.

And further, to consider and report on the most advisable mode of dealing with the Indian Tribes in the North-West Territories.

To have and to hold the said office of Commissioner, for the purposes aforesaid unto you the said Donald A. Smith, during pleasure.

In testimony whereof, &c.

(Great Seal.)

Department of Secretary of State for the Provinces,
Ottawa, 24th December, 1869.

To the Hon. Wm. McDougall, C.B.,
Pembina.

Sir,—Your despatch, dated Pembina, 2nd December, and its enclosures A and B, reached this office on the 18th instant, and were promptly laid before the Governor General in Council.

As it would appear from these documents that you have used the Queen's name without her authority—attributed to Her Majesty acts which she has not yet performed—and organized an armed force within the Territory of the Hudson's Bay Company, without warrant or instructions, I am commanded to assure you that the grave occurrences which you report have occasioned here great anxiety.

The exertion of military force against the misguided people now in arms, even if under the sanction of law, was not to be hastily risked, considering the fearful consequences which might ensue, were the Indians, many of them but recently in contact with the white inhabitants of the neighbouring States, drawn into the conflict. But as the organization and use of such force by you was, under the circumstances, entirely illegal, the Governor General and Council cannot disguise from you the weight of responsibility you have incurred.

Acting on the belief that the country would be quietly transferred, with the general assent of the inhabitants, all the preparatory arrangements were made, as you were aware, in anticipation that, on or about the 1st December, the Territory would be surrendered by the Company to the Queen, and that thereupon, Her Majesty would issue Her Proclamation, *fixing a day for the Union* of the country with Canada.

The Proclamation, when officially communicated to you, would enable you, under the Commission and authority given in anticipation of that event, to enter legally, *upon the appointed day,* on the discharge of your official duties as Governor of the North West.

In the Commission issued on the 28th September, you were empowered to enter upon the duties of Government, only "on, from, and after the day to be named" in the Queen's Proclamation; and in the instructions handed to you with the Commission, you are directed to proceed to Fort Garry, and "be ready to assume the Government of the Territories on their actual transfer to Canada."

That you clearly understood this limitation of authority was hoped from your letter from Pembina, of the 7th November, addressed to Governor McTavish, and communicated to this Department, in which you say "I shall remain here until I hear officially of the transfer of authority, and shall then be guided by circumstances as to what I shall say and do," and because, in your letter of the 14th November, addressed to this Department, you thus refer to some injudicious proposal made by your

friends: " the recommendation that I should issue a Proclamation, is not made for the first time, but I have uniformly replied that until the transfer of the Territory has taken place, and I am notified of the fact, I shall not assume any of the responsibilities of Government."

The peaceful surrender of the country was assumed throughout the negotiations, and this Government never claimed or pretended to exercise any authority within North West, until invested with the Sovereignty by the terms of the Queen's Proclamation.

The transfer of the Territories would, no doubt, have been proclaimed on or about the 1st December, had not your report of the 31st October, and the documents which accompanied it, changed the whole position of affairs, and thrown upon this Government grave responsibilities of a very novel character. In those papers you represented that serious obstruction had been opposed to your entrance into the country, that a large number of persons were opposed to the establishment of the authority of the Dominion, that a Provisional Government had been formed, and the roads barricaded and guarded. That some of the Catholic Clergy were openly abetting these movements, and that the officers of the Hudson's Bay Company, if not aiding the revolutionists, were unable to control them.

Your despatch was received here on the 19th November, and on the 26th those of the 5th and 17th came to hand, from which it appeared that the insurrectionary movement had still continued without check, and that the Hudson's Bay Officers were powerless, and that you had been driven out of the country.

The facts disclosed in these despatches entirely changed the basis upon which the negotiations, in perfect good faith on the part of the Dominion, had, up to that time, been conducted with the Hudson's Bay Company, and with the Imperial Government.

If, with the facts before them, the Canadian Government accepted the responsibility of governing, or rather, assuming the Government of a country that could only be recovered by conquest, at a vast distance from the base of operations, and which, for many months, could only be approached through the United States, they could hardly justify an act of such precipitancy to Parliament and the country; while it is equally clear that if you were invested with the legal title to govern without being able to get into Rupert's Land, or exercise any authority, the revolutionary Government would be strengthened by your

weakness, and would, in fact, (the Proclamation having superseded Governor McTavish) be the only Government in the Territory until put down by force of arms.

It was a matter of necessity then, rather than choice, to delay the issue of the Queen's Proclamation, and it was assumed here that the necessity would be as apparent to you as it was to the Privy Council.

To postpone the surrender by the Company until it was able to transfer, not only its own rights, but the Territory itself, to Her Majesty; to stay the issue of the Queen's Proclamation, and to leave with the Hudson's Bay Company and the Imperial Government the obligation of enforcing order, and asserting the rights of the Sovereign, was the first duty of this Government; and the Governor General and Council had hoped that this would be as obvious to you as to them.

They had another duty, and to that they addressed themselves without delay. It was to disabuse the minds of the people of Rupert's Land of the erroneous impressions under which, there was too much reason to fear, that they had acted, and to restore tranquillity by peaceful means. The measures taken with this view were explained to you in my despatches of the 19th and 29th November, and of the 7th, 8th, 10th, 11th and 17th December. In none of those despatches will there be found any warrant or authority for the proceedings reported in your despatch of the 2nd December. It is to be regretted that they had not reached you sooner; but the sanguine hope is entertained here that, if no collisions have taken place, or blood been shed till you have read those despatches, and conferred with the gentlemen who have been sent to Red River, matters may yet wear a more cheerful aspect, and the Government of the Territory be assumed with some guarantee for order, and with all the formalities of law. Whether this hope is realised or not, your duty is plain; and I am commanded by his Excellency to instruct you to remain at Pembina until you can get peaceable access to Fort Garry, with the assent, and under the protection of the Hudson's Bay Company authorities that you are to take every means of removing the misapprehensions that exist in the minds of the residents, by explanations and otherwise; and that you are to exercise no acts of authority on behalf, or in the name of the Government of Canada, until officially informed that the Queen's Proclamation has issued, and until you shall have assumed the Government, and taken the oaths of office, on or after the day fixed in it for the union of the countries.

As the course of action proposed by you in your despatch of the 2nd December was to be carried out before an answer could possibly reach you, I have delayed replying for some days, in order to learn, if possible, the result of your policy; but the receipt of your despatch of the 6th instant which reached me on the 23rd with its enclosures, 2A, 2B, and 2C; and the course taken by Col. Dennis, as described in those papers, make it necessary, without further delay, to send this despatch by a special messenger.

I wish I could inform you, that this report had entirely relieved the Governor General and Council from the anxiety already expressed. It is true that no blood had been shed up to the 6th, and you had not carried out your intention of occupying the Stockade near Pembina with an armed party, but the proceedings of Colonel Dennis, as reported by himself, are so reckless and extraordinary, that there can be no relief from solicitude here while an officer so imprudent is acting under your authority.

Had the inhabitants of Rupert's Land, on the breaking out of the disturbances, risen and put an end to them, or had Governor McTavish organized a force to occupy his Forts, and maintain his authority, all would have been well, and Riel and his people would have been responsible for any bloodshed or property destroyed. But Colonel Dennis, with no legal authority, proceeds to seize the Fort, then in possession, not of the insurgents, but of the Hudson's Bay Company, and to garrison it with a mixed force of Whites and Indians, and proposes to give battle to the insurgents, should a junction be formed with some forces which he has ordered to be drilled on the Assiniboine. He appears never to have thought that the moment war commenced, all the white inhabitants would be at the mercy of the Indians, by whom they are largely outnumbered, and, divided as they would be, might be easily overpowered.

It is impossible to read the Colonel's account of his attempt to persuade Judge Black to aid him in proclaiming martial law, without strong feelings of regret, that you should have been represented in the settlements by a person with so little discretion. It is no wonder that Judge Black was "frightened" at the proposal, as he must have known that Colonel Dennis would have to answer, at the bar of justice, for every life lost by such an assumption of authority, and that the illegal

seizure of an American citizen, would at once provoke interference in the quarrel, and lead to very serious complications.

I have, &c.,

JOSEPH HOWE.

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18. Orders of the Provisional Government of Rupert's Land, Jan. 8, 1870.[1]

The people of Rupert's Land are notified by these presents:—

That at a meeting of the Representatives of the People, held at Fort Garry, on the 27th day of December, 1869, the following resolutions were adopted:—

1st.—Mr. John Bruce having, on account of ill health, resigned his position as president, Mr. Louis Riel was chosen to replace him.

The new president takes this opportunity, in conjunction with the Representatives of the People, to express their high sense of the qualities which distinguish the ex-president. Among others, his modesty, the natural moderation of his character, and the justness of his judgment. These qualities, which were of such great assistance to the people, deserve public recognition, and the Representatives accepted his resignation only in the hope thereby to preserve the health of one dear to them.

2nd.—Mr. François Xavier Dauphinais has been chosen Vice-President.

3rd.—Mr. Louis Schmidt has been appointed Secretary of the council.

4th.—Mr. W. B. O'Donohue has been appointed Secretary-Treasurer.

5th.—Mr. Ambroise Lepine has been appointed Adjutant-General.

6th.—It has been decided that Mr. A. G. B. Bannatyne should be continued in his position as Postmaster.

7th.—All the officers or employés of the old government who might pretend to exercise that old authority shall be punished for high treason.

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[1] Begg. History of the North West, I. 440.

8th.—Justice shall be administered by the Adjutant-General, whose council shall be composed of Mr. A. G. B. Bannatyne, F. X. Dauphinais and Pierre Poitras. This council will sit on the first and third Monday of each month.

9th.—All licenses for the sale of intoxicating liquors must be given by the Adjutant's council, and all those who took this kind of license on the 1st December last, must have them renewed by the said council.

In publishing these orders the President and Representatives of the People, anxious to draw upon the exercise of their authority the blessing of Heaven and the approbation of all, announce to the people of Rupert's Land that they have pardoned twelve political prisoners, showing thereby that clemency and forgiveness are as familiar to them as severity.

Louis Riel, *President.*
Louis Schmidt, *Secretary.*

19. Official Orders of the Provisional Government, Mar. 5, 1870.[1]

OFFICIAL ORDERS.

It is hereby ordered that the Town of Winnipeg be and shall be hereafter the Capital of the North-West.

That the bounds of said town be as follows:—The Assiniboine River on the South; Red River on the East; McDermott's Creek on the North, and on the West by Spence's Creek.

In response to a petition from the citizens of the Town of Winnipeg asking for a separate representation in the Provisional Government, and protest against having said town consolidated with St. John's Parish; that the said Town of Winnipeg be entitled to a representation by two members in the Provisional Government and that the election for said members be held at the Engine House, betwen the hours of three and five o'clock p.m. on Saturday, March 5th, 1870.

By order of the President,
Louis Schmidt,
Ass't. Sec'y.

Dated Fort Garry, Head Quarters
Provisional Government, March 5th, 1870.

[1] Dominion Archives, M 192, p. 28.

20. Resolutions of the Council of the Provisional Government, Mar. 15, 1870.[1]

1st. That we, the representatives of the inhabitants of the North-West, consider that the Imperial Government, the Hudson's Bay Company, and the Canadian Government, in stipulating for the transfer of the government to the Dominion Government, without first consulting, or even notifying, the people of such transfer, have entirely ignored our rights as people of the North-West Territory.

2nd. That notwithstanding the insults and sufferings borne by the people of the North-West heretofore; which sufferings they still endure—the loyalty of the people of the North-West towards the Crown of England remains the same, provided the rights, properties, usages and customs of the people be respected; and we feel assured that as British subjects such rights, properties, usages and customs will undoubtedly be respected.

21. List of Rights presented to the Dominion Government.[2]

1st. That the Territories, heretofore known as Rupert's Land and North West, shall not enter into Confederation of the Dominion, except as a province, to be styled and known as the Province of Assiniboia, and with all the rights and privileges common to the different provinces of the Dominion.

2nd. That we have two representatives in the Senate, and four in the House of Commons of Canada, until such time as an increase of population entitles the province to a greater representation.

3rd. That the Province of Assiniboia shall not be held liable, at any time, for any portion of the public debt of the Dominion, contracted before the date the said province shall have entered the Confederation unless the said province shall have first received from the Dominion the full amount for which the said province is to be held liable.

4th. That the sum of eighty thousand dollars be paid annually by the Dominion Government, to the Local Legislature of this province.

[1] Begg. *History of the North West*, Vol. I., 473.
[2] Begg. *History of the North West*, Vol. I., 476-478.

5th. That all properties, rights and privileges enjoyed by the people of this province, up to the date of our entering into the Confederation, be respected, and that the arrangement and confirmation of all customs, usages and privileges be left exclusively to the Local Legislature.

6th. That during the term of five years the Province of Assiniboia shall not be subjected to any direct taxation, except such as may be imposed by the Local Legislature for municipal or local purposes.

7th. That a sum of money, equal to eighty cents per head of the population of this province, be paid annually by the Canadian Government to the Local Legislature of the said province, until such time as the said population shall have increased to six hundred thousand.

8th. That the Local Legislature shall have the right to determine the qualifications of members to represent this province in the Parliament of Canada and in the Local Legislature.

9th. That in this province, with the exception of uncivilized and unsettled Indians, every male native citizen who has attained the age of twenty-one years; and every foreigner, being a British subject, who has attained the same, and has resided three years in the province, and is a householder; and every foreigner other than a British subject, who has resided here during the same period, being a householder, and having taken the oath of allegiance, shall be entitled to vote at the election of members for the Local Legislature and for the Canadian Parliament. It being understood that this article be subject to amendment, exclusively by the Local Legislature.

10th. That the bargain of the Hudson's Bay Company, in the respect to the transfer of the government of this country to the Dominion of Canada, be annulled so far as it interferes with the rights of the people of Assiniboia and so far as it would affect our future relations with Canada.

11th. That the Local Legislature of the Province of Assiniboia shall have full control over all the public lands of the province, and the right to annul all acts or arrangements made or entered into with reference to the public lands of Rupert's Land and the North-West, now called the Province of Assiniboia.

12th. That the Government of Canada appoint a Commissioner of Engineers to explore the various districts of the Province of Assiniboia, and to lay before the Local Legislature a

report of the mineral wealth of the province, within five years from the date of our entering into Confederation.

13th. That treaties be concluded between Canada and the different Indian tribes of the Province of Assiniboia, by and with the advice and co-operation of the Local Legislature of this province.

14th. That an uninterrupted steam communication from Lake Superior to Fort Garry be guaranteed to be completed within the space of five years.

15th. That all public buildings, bridges, roads, and other public works be at the cost of the Dominion Treasury.

16th. That the English and French languages be common in the Legislature, and in the Courts, and that all public documents as well as Acts of the Legislature, be published in both languages.

17th. That whereas the French and English-speaking people of Assiniboia are so equally divided as to numbers yet so united in their interests, and so connected by commerce, family connections, and other political and social relations, that it has happily been found impossible to bring them into hostile collision, although repeated attempts have been made by designing strangers for reasons known to themselves to bring about so ruinous and disastrous an event.

And whereas, after all the troubles and apparent dissensions of the past, the result of misunderstanding among themselves they have, as soon as the evil agencies referred to above were removed, become as united and friendly as ever; therefore, as a means to strengthen this union and friendly feeling among all classes we deem it expedient and advisable:

That the Lieutenant-Governor who may be appointed for the Province of Assiniboia should be familiar with both the French and English languages.

18th. That the Judges of the Superior Court speak the English and French languages.

19th. That all debts contracted by the Provisional Government of the Territory of the North-West, now called Assiniboia, in consequence of the illegal and inconsiderate measures adopted by Canadian officials to bring about a civil war in our midst, be paid out of the Dominion Treasury, and that none of the members of the Provisional Government or any of those acting under them be in any way held liable or responsible with regard to the movement, or any of the actions which led to the present negotiations.

20th. That in view of the present exceptional position of Assiniboia duties upon goods imported into the province shall, except in the case of spirituous liquors, continue as at present for at least three years from the date of our entering the Confederation, and for such further time as may elapse, until there be uninterrupted railroad communication between Winnipeg and St. Paul, and also steam communication between Winnipeg and Lake Superior.

22. Proclamation to the people of the North-West, April 9, 1870.[1]

PROCLAMATION.

To the People of the North-West—

Let the assembly of twenty-eight representatives which met on the 9th of March be dear to the people of Red River; that assembly has shown itself worthy of confidence. It has worked in union; the members devoted themselves to public interests, and yielded only to the sentiments of good will, duty, and generosity. Thanks to that noble conduct public authority is now strong; that strength will be employed to sustain and protect the people of the country. To-day the Government pardons all those whom political differences led astray only for a time. An amnesty will be generously accorded to all those who will submit to the Government; who will discountenance or inform against dangerous gatherings. From this day forth public highways are open, and the Hudson Bay Company can now resume business. Themselves contributing to the public good, they circulate their money as of old. They pledge themselves to that course. The attention of the Government is also directed very especially to the northern part of the country, in order that trade may not receive any serious check, and that peace in the Indian districts may thereby be all the more securely maintained. The disastrous war which was at one time threatened has left among us foes, and various deplorable results, but the people feel reassured; and elected by the grace of Providence and the suffrages of my fellow-countrymen to the highest position in the Government of my country, I proclaim that peace reigns in our midst this day. The Government will take every precaution to prevent this peace from being disturbed. While

[1] Dominion Archives, P. F. 105 No. 10, p. 127.

internally all is thus returning to order; externally also matters are looking favourable. Canada invites the Red River people to an amicable arrangement. She offers to guarantee us our rights, and to give us a place in the Confederation equal to that of any of the other Provinces. As defined by the Provincial Government, our national existence will be based upon justice, and shall be respected. Oh, happy country! to have escaped many misfortunes that were prepared for her in seizing her children on the point of war. She recommends that old friendship which used to bind us, and by the ties of the same patriotism she has renewed them again for the sake of preserving their lives, their liberty, and their happiness. Let us remain united and we shall be happy, with the strength of unity. We shall retain prosperity. Ah, my fellow-countrymen, without distinction of language, or without distinction of creed, keep my words in your hearts. If ever, in time, division should unfortunately take place amongst us, as foreigners have heretofore sought to create, that will be a signal for all the disasters which we have had the happiness to avoid. In order to prevent similar calamities the Government will treat with all the severity of the laws those who dare again to compromise the public safety. It is ready to act against the disorder of parties, as well as against that of individuals; but let us hope, however, that extreme measures will be unknown, and that the lessons of the past will guide us in the future.

(Signed) Louis Riel.

23. Report of Donald A. Smith, Esq.

Ottawa, 12th April, 1870.

The Hon. Joseph Howe, Secretary of State for the Provinces, Ottawa.

Sir,—In pursuance of the commission confided to me by His Excellency the Governor General, in relation to the affairs of the North-West Territories, I addressed you from time to time during my residence within Fort Garry, a correspondence carried on under very unfavourable circumstances, as will appear from the report I have now the honor to submit.

Leaving Ottawa on the 13th December last, I reached St. Cloud, the terminus of railway communication on the 17th, continuing on the same day by stage, and arriving at Abercrombie

on the evening of the 19th. Here we had to abandon wheeled carriages, and, procuring a sleigh, after a couple of hours' rest, we resumed the journey, and on the afternoon of the 21st, met Hon. Mr. McDougall and party about thirty miles beyond Georgetown. From him I learned how serious the aspect of affairs had latterly become at Red River; and, pushing on, we got to Pembina about 11 p.m. of the 24th, and to Fort Garry on the 27th.

The Gate of the Fort we found open, but guarded by several armed men, who, on my desiring to be shown to Governor MacTavish's house, requested me to wait till they could communicate with their chief. In a short time, Mr. Louis Riel appeared. I announced my name; he said he had heard of my arrival at Pembina, and was about to send off a party to bring me in. I then accompanied him to a room occupied by ten or a dozen men, whom he introduced to me as members of the "Provisional Government." He requested to know the purport of my visit, to which I replied in substance that I was connected with the Hudson's Bay Company, but also held a commission from the Canadian Government to the people of Red River, and would be prepared to produce my credentials so soon as they, the people, were willing to receive me. I was then asked to take an oath not to attempt to leave the fort that night, nor to upset their government, legally established. This request I peremptorily refused to comply with, but said that, being very tired, I had no desire to go outside the gate that night, and promised to take no immediate steps forcibly to upset the so-called "Provisional Government," "legal or illegal, as it might be," without first announcing my intention to do so. Mr. Riel taking exception to the word illegal, while I insisted on retaining it. Mr. O'Donohue, to get over the difficulty, remarked "That is as he" (meaning myself) "understands it," to which I rejoined, "Precisely so." The above explanation, I am the more particular in giving, as it has been reported that I at once acknowledged the Provisional Government to be legal. Neither then nor afterwards did I do so.

I took up my quarters in one of the houses occupied by the Hudson's Bay Company's officers, and from that date until towards the close of February, was virtually a prisoner within the Fort, although with permission to go outside the walls for exercise, accompanied by two armed guards, a privilege of which I never availed myself.

All my official papers had been left in charge of Mr. Provencher, at Pembina, as I had been warned that if found in my

possession, they would unquestionably be seized, as were those brought into the Settlement shortly after by the Rev. Mr. Thibault and Colonel De Salaberry.

The state of matters at this time, in and around Fort Garry, was most unsatisfactory, and truly humiliating. Upwards of sixty British subjects were held in close confinement as "political prisoners," security for persons or property, there was none; the Fort, with its large supplies of ammunition, provisions, and stores of all kinds, was in the possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the Territory to the United States; and the Governor and Council of Assiniboia were powerless to enforce the law.

On the 6th January, I saw Mr. Riel, and soon came to the conclusion that no good could arise from entering into any negotiations with his "Council," even were we to admit their authority, which I was not prepared to do.

We learnt that on the 13th, the Grand-Vicar Thibault and Colonel De Salaberry appeared before the "President and Council of the People," when some explanations and compliments were exchanged, after which the Very Rev. gentleman and his associate were politely bowed out and lost sight of.

Meantime we had frequent visits in the Fort from some of the most influential and most reliable men in the Settlement, who gladly made known to the people generally, the liberal intentions of the Canadian Government, and in consequence one after another of Riel's Councillors seceded from him, and being joined by their friends and by many of their compatriots and co-religionists who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked effect on Riel, causing him to alter his tactics and to profess a desire for an accommodation with Canada; accordingly on the 14th January, he called on me, informed me that he had seen Messrs. Thibault and De Salaberry, whose instructions did not authorize them to give assurances that the people would be secured in possession of their rights on entering into the Confederation, their errand being merely "to calm the French Half-breeds." He then asked to see my Commission, and on my explaining that, owing entirely to the action taken by himself, it was not in my possession, in an excited yet faltering manner he said "yes, I know, 'tis a great pity, but how soon could you have it?" "probably in five or six days," I replied. "That is too long, far too

long" he responded, and then asked where the documents were deposited, requesting at the same time a written order for their delivery to his messenger. To this I would not accede, but on his assuring me that they would be delivered into my hands, and that I should be afforded an opportunity of communicating their contents to the people, I consented to send a friend for them. It was so decided, and immediately after the messenger had received his instructions from me, I was placed under strict arrest, a Captain's guard being assigned me, whose instructions were, not to lose sight of me for one moment day or night, and to prevent me from communicating either verbally or in writing with any individual. I protested, saying, "am I to consider myself a prisoner?" He replied, "certainly not, I have the utmost confidence in your honor, but circumstances demand this." It was now about 10 o'clock and my messenger having been marched out, I retired to bed, but only to be awakened 'twixt two and three o'clock in the morning of the 15th, by Mr. Riel, who with a guard, stood by the bed side and again demanded a written order for the delivery of my Official Papers, which I again peremptorily refused to give.

The well affected French party became aware of what had happened and not believing in Riel's good faith, determined to prevent the papers from falling into his hands. They got together some sixty or eighty men, who met my friend on his way back and were escorting him, when on the 18th about 10 miles from the Fort, they were accosted by Riel and some of his party, and by the Reverend Mr. Ritchot. An altercation took place, Riel attempted to use his pistol, saying: "he would not be taken alive in his own country," on which a revolver was levelled at his head, and Mr. Ritchot, having interposed, he was unceremoniously told to stand aside and "not to interfere any further with matters unconnected with his spiritual duties." It may be well to note that all those who took part in this affair were Catholics, and, with one or two exceptions, French Half-breeds. Nothing more serious happened at this time and the party proceeded together to Fort Garry, where they arrived in the forenoon. A few minutes before they entered the house, the Very Rev. Mr. Thibault, Pere Lestanc and Colonel DeSalaberry, called upon me and, with the exception of my guard they were the first individuals with whom I was permitted to converse since the 14th. They appeared to be much concerned, and said it was currently reported I had been endeavouring to incite the different parties to hostile collision. I repudiated

any such charge; explained that I had acted only in the cause of peace and order, and with the desire of making the people, both French and English, fully acquainted with the liberal views of the Canadian Government, so that a peaceful transfer of the Territory might be effected, adding that I was pleased to think there was now every likelihood this would speedily be accomplished. In the meantime, the party in possession of my papers entered the adjoining room on which Père Lestanc joined them, while Messrs. Thibault and De Salaberry went outside. Immediately after they retired, Mr. Riel came to me, saying: "Your commission is here; but in the hands of men who had no right to have it." I expressed satisfaction that it had been brought in, and said being now in possession of it, I must be relieved from all restraint, and be permitted freely to communicate with the people. He at once removed the guard, and we went up to the party who had just arrived. Messrs. Riel and O'Donohue, with a few of their friends, were present, and vehemently protested against the action now being taken, while the ex-councillors accused them of treason to the Imperial Crown, and of using every effort to bring about the annexation of the Country to the United States. Riel replied "that was only supposing the people desired it, but that he was willing the question should be submitted to them." Père Lestanc spoke warmly in favor of the "President," who, he said, had acted so as to merit the gratitude of his countrymen, and begged them still to place confidence in him. This evidently had no effect, and ultimately, after a good deal of recrimination it was arranged that a meeting of the inhabitants from all parts of the Settlement should be called for the morrow, the 19th, at which the papers bearing on the subject should be read, a guard of forty men remaining in the house to ensure the safe-keeping of the documents.

Riel's men were now falling away from him, while the loyal party expressed their determination no longer to be guided in the matter either by him or by Père Lestanc and his associates. They were full of hope, and confident that the following day would bring with it complete success to the cause of Canada.

Late that night, Père Lestanc paid them another visit, which was prolonged for several hours beyond midnight, and next morning it was found that a majority of those who had seceded from Riel were again on friendly terms with him.

The hour for the meeting having arrived, upwards of a thousand people attended, and deeming it of great importance

that the explanations to be made on behalf of the Canadian Government should be faithfully rendered to the French speaking portion of the Settlers, whose leaders had studiously withheld from them all knowledge of the true state of matters in connection with the proposed transfer of the country, I requested Colonel de Salaberry to act as interpreter, but the Colonel, diffident of his own ability as a translator, proposed Mr. Riel as interpreter, and the latter was appointed accordingly.

At this meeting, and that held the following day, the reading of the Commission, the Queen's Letter, and every other document was contested with much obstinacy, but ultimately carried; and threats were used to myself in the presence and hearing of the Chairman, of the Secretary, Judge Black, and others, more especially by Mr. Riel and Rev. Mr. Lestanc. At the commencement of the meeting, I requested the Chairman and those near him to begin by insisting that all arms should be laid down, and that the flag then flying (fleur de lis and shamrock) should be replaced by the British ensign; this, they thought, would come better at an after-stage; but the opportunity of doing so now lost, never recurred.

As is generally known the result of the meeting was the appointment of forty delegates, 20 from either side, to meet on 25th January, "with the object of considering the subject of Mr. Smith's Commission, and to decide what would be the best for the welfare of the country," the English as a body, and a large number of the French declaring their entire satisfaction with the explanations given, and their earnest desire for union with Canada.

On the 22nd, Riel had several conferences with the well affected French within the Fort; he was melted even to tears, told them how earnestly he desired an arrangement with Canada, and assured them that he would lay down his authority immediately on the meeting of the Convention. They believed him sincere, and, although I considered that their guard in the Fort should not be decreased, they held that ten men would be amply sufficient to leave while they went to secure their elections; the consequence was that they had hardly gone when repressive measures were resorted to and the Hudson's Bay Company's stores which had hitherto been only partially in their hands, were now taken complete possession of by Riel.

Efforts were made to have the prisoners released, but without effect.

The Delegates met on the 25th, and continued in session till the 10th February. On the 26th, I handed to their Chairman, Judge Black, the documents read at the meetings of the 19th and 20th January, and, on the 27th, attended the Convention by appointment. I was received with much cordiality by all the delegates, explained to them the views of the Canadian Government, and gave assurances that on entering confederation, they would be secured in the possession of all rights, privileges, and immunities enjoyed by British subjects in other parts of the Dominion; but, on being requested by Mr. Riel to give an opinion regarding a certain "list of rights," prepared by his party in December last, I declined to do so, thinking it better that the present Convention should place in my hands a paper, stating their wishes to which I should "be happy to give such answers as I believed would be in accordance with the views of the Canadian Government." The Convention then set about the task of preparing a "list of rights," embodying the conditions on which they would be willing to enter the confederation. While the discussion regarding this list was going on, Mr. Riel called on me and asked if the Canadian Government would consent to receive them as a Province—my reply was, that I could not speak with any degree of certainty on the subject, as it had not been referred to when I was at Ottawa, the intention then being that the North-West should, in the first instance, be incorporated under the Dominion as a Territory; but I added, that no doubt it would become a Province within two or three years. On this Mr. Riel, with much emphasis, exclaimed "then the Hudson's Bay Company is not safe yet," to which I answered: "Mr. Riel, that cannot influence me in the slightest degree, and I am quite prepared to act as may be required of me in my capacity as Canadian Commissioner." This was on the evening of the 3rd February, on the following day the proposition to enter as a Province was negatived by the Convention, and on the 5th, another motion directed against the Hudson's Bay Company, also failed; the language used by Mr. Riel on the latter occasion having been violent in the extreme. The same evening, Riel proceeded to Governor McTavish, who had been dangerously ill for many weeks back, and was then barely able to sit up, placed a guard over him, and heaping reproaches and insult on him, declared that he would have him shot before midnight. Riel then sought out Dr. Cowan, the officer in immediate charge of Red River District, upbraided him for his persistent opposition to

"the people," the insurgents, and declaring that his name would go down with infamy to posterity for the part he had taken, demanded that he would immediately swear allegiance to the Provisional Government, or prepare for death within three hours, giving him a quarter of an hour for consideration. The Doctor immediately replied, that he knew no legal authority in the country, but that of Great Britain, to which his allegiance was due and that he would not take the oath required of him. He was then seized and put in confinement along with the prisoners taken in December last. I was also put under strict guard, but not removed from the house.

Notwithstanding this, and the painful doubt created in the minds of the English members of the Convention as to the course they should pursue after these arrests the Delegates again met on the 7th. On the 5th, they had resolved to place in my hands the List of Rights they had drawn up, which was done at 11 o'clock on the 7th, with an intimation that the Convention would be glad to meet me at 1 o'clock p.m., the intervening two hours being allowed me to frame my answers. In drawing up these, I was allowed no reference to any document either written or printed, except the "List of Rights," and a guard stood over me to see that I should write nothing else than that to be presented to the convention. I had just finished writing when Mr. Riel and his "Adjutant-General" Lépine, who was also a member of the Convention, came in, and Riel looking at the latter in a significant manner said "the answers to the List of Rights must be simply yes or no." On this I remarked that I thought otherwise and would act as circumstances might appear to me to require. I then retired, and on returning to the room a few minutes later, found there Mr. Riel, the Rev. Mr. Thibault and Colonel De Salaberry. We proceeded together to the Convention, and in course of conversation Col. De Salaberry said he would gladly have come to see me before, but could not as he "had been a prisoner throughout."

The proceedings of the convention as reported in the "New Nation" newspaper, of the 11th and 18th February, copies of which I have had the honor of addressing to you, are sufficiently exact, and render it unnecessary for me here to enter into details. Suffice it to say that a large majority of the delegates expressed entire satisfaction with the answers to their "List of Rights," and professed confidence in the Canadian Government, to which I invited them to send delegates, with the view

of effecting a speedy transfer of the Territory to the Dominion, an invitation received with acclamation and unanimously accepted, as will appear by resolution hereto annexed, along with the List of Rights and my answer to the same. The delegates named were John Black, Esq., Recorder, the Rev. Mr. Ritchot, and Mr. Alfred H. Scott. A good deal of opposition having been offered to the election of the last named of the three.

The proceedings of the Convention came to a close on the 10th February, by the nomination of a Provincial Government, in the formation of which several delegates declined to take any part. Governor MacTavish, Dr. Cowan, and two or three other persons were then released and the Hudson's Bay Company officers again allowed to come and go at pleasure, but I was still confined to the Fort; Riel, as he expressly stated to Judge Black, being apprehensive of my influence with the people in the approaching election.

Riel promised that all the prisoners should soon be released. On the 11th and 12th six or eight of them were set at liberty, and Dr. Cowan was informed in my presence, that as they were all to be discharged without delay, the rooms they had occupied would be placed at his disposal in a day or two; Riel remarking at the same time that he would have them throughly cleaned out.

Rumours now began to circulate of a rising at the Portage, and on the night of the 14th and 15th of February, some 80 or 100 men from that district passed down close to Fort Garry, and proceeded to Kildonan, where they were joined by from 300 to 350 men, principally English half-breeds, from the lower parts of the Settlement. Had those men, properly armed and organized, been prepared to support the well affected French party, when the latter took action, about the middle of January, or even in the beginning of February, during the sitting of the Convention, order might have been restored and the transfer to Canada provided for without the necessity for firing a single shot; but now the rising was not only rash, but purposeless, as, without its intervention, the prisoners would unquestionably have been released. The party was entirely un-organized, indifferently armed, unprovided with food even for one meal, and wholly incapable of coping with the French now re-united, who, to the number of at least seven hundred were prepared to offer the most determined resistance, which, as they were in possession of a number of guns (six and three pounders), ample stores of ammunition, provisions, and every other requisite, they could

have done most effectually. My sympathies were, in a great measure, with the Portage men, whom I believe to have been actuated by the best of motives; but under the circumstances it was not difficult to foresee that the issue could not be otherwise than disastrous to their cause. The attempt was, therefore, to be deplored, as it resulted in placing the whole Settlement at the feet of Riel. The great majority of the settlers, English and Scotch, discountenanced the movement and bitterly complained of those who had set it on foot. Forty-seven of the party were captured on their way home, while passing within a few hundred yards of the Fort; the explanation I have heard given for their otherwise inexplicable conduct in having taken this route, instead of making a *détour* which would have ensured safety, being a supposed promise by Riel that they would be permitted to pass unmolested. Their messenger, a young man named McLean on being questioned by Archdeacon McLean and myself in the presence of the Rev. Mr. Gardner and one or two other gentlemen, admitted that Riel, on being asked "if the party would be permitted to pass," was silent, and only, on being informed that they intended next day to use the route just outside the town, remarked "ah! that is good," and for his purpose it no doubt was so. Captain Bolton led the party, and he and his friends at the Portage assured me that he exerted himself to the utmost to keep them from rising, and only joined them at the last moment when he saw they were determined to go forward. He was captured on the 17th, tried by "Court Martial," and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English, and I have been told also, at the earnest entreaty of the Catholic Clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case *he* would be shot instead of Bolton. Archdeacon McLean had been in close attendance on Capt. Bolton for twenty-four hours, had administered to him the sacrament, received his last commands, and had promised to be present with him at the last moment, and when I met the Archdeacon on my way to see Riel, about 8 o'clock on the evening of the 19th, he was deeply affected, and had given up all hope. I found with Riel, Mr. H. N. Robinson, of "The Nation" newspaper, and shortly afterwards Mr. James Ross, "Chief Justice," entered, followed in a few min-

utes by Mr. Bannatyne, Postmaster, who had been ordered to bring the key of the mail bag, which Riel opened, and examining the letters perused and retained one or more. Mr. Ross pleaded for Bolton, but was repulsed in the most contemptuous manner. I had already been speaking to Riel on the subject when interrupted by Mr. Ross' entrance, and now resumed the conversation. Riel was obdurate and said that the English settlers and Canadians, but more especially the latter, had laughed at and despised the French Half-breeds, believing that they would not dare to take the life of anyone, and that, under these circumstances, it would be impossible to have peace and establish order in the country; an example must therefore be made, and he had firmly resolved that Bolton's execution should be carried out, bitterly as he deplored the necessity for doing so. I reasoned with him long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said "hitherto I have been deaf to all entreaties, and, in now granting you this man's life," or words to that effect, "may I ask you a favour?" "Anything," I replied, "that in honor I can do." He continued, "Canada has disunited us, will you use your influence to re-unite us? You can do so, and without this it must be war—bloody civil war!" I answered, that as I had said on first coming to the country I would now repeat, that "I would give my whole heart to effect a peaceable union of the country with Canada." "We want only our just rights as British subjects," he said, "and we want the English to join us simply to obtain these." "Then," I remarked, "I shall at once see them and induce them to go on with the election of delegates for that purpose;" and he replied, "if you can do this, war will be avoided, not only the lives but the liberty of all the prisoners will be secured, for on your success depend the lives of all the Canadians in the country." He immediately proceeded to the prison, and intimated to Archdeacon McLean that he had been induced by me to spare Capt. Bolton's life, and had further promised to me that immediately on the meeting of the Council shortly to be elected, the whole of the prisoners would be released, requesting the Archdeacon, at the same time, to explain these circumstances to Capt. Bolton and the other prisoners.

The moment was a fearful one for the settlement: every man's life was in the hands of Riel and fully appreciating the significance of this, the Bishop of Rupert's Land and the Protestant clergy generally, now earnestly counselled the people to elect

their delegates without loss of time as by this means they might to some extent control the course of events, while otherwise they were utterly powerless. I entirely concurred in this view of the case and, Archdeacon McLean having kindly offered to accompany me, we visited the different parts of the settlement, and found that in several parishes, the people, and those the most loyal to the British Crown and most desirous for union with Canada, had already chosen their Councillors. I explained to all, that the Council was to be Provisional, in the strictest sense of the word, intended expressly for effecting the transference of the country to Canada, and for ensuring safety of life and property in the meantime. In some instances, I found they had drawn up petitions to Mr. Riel as "President" expressing submission, &c., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely necessary, namely, that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel. The elections in the English parishes having taken place on the 26th February I again saw Riel, who re-assured me, that all the prisoners would be released within a day or two after the first meeting of the Council. On the 28th, he again sent for me in presence of Mr. Fraser, delegate from the *Scotch* Parish, Kildonan, repeated his promise that the lives of the prisoners were secured, and that their release would shortly follow.

I had no further communication with Riel until Monday, the 4th March, when about 10 o'clock in the morning, Père Lestanc called on me. He informed me of Bishop Taché's expected arrival, not later certainly than the 8th, and probably some days earlier, adding that his Lordship had telegraphed to request that, if about to leave for Canada, I should defer my departure till he could communicate personally with me. He then said that the conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the "soldiers" and their behaviour altogether so very bad, that he was afraid the guards might be forced to retaliate in self defence. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavour to act so as to avoid giving offence to their guards, and we encouraged them to look forward to being speedily released in fulfilment of the promise made by Mr.

Riel. One man, Parker, was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott, or the slightest intimation given, that he or any other person had been condemned to be shot. About 11 o'clock Père Lestanc left me and went up stairs to communicate to Governor MacTavish, as he said "the good news that Bishop Taché was expected so soon." The Reverend Mr. Young, Methodist clergyman, had just entered the house and meeting the Père in the hall, conversed with him a few minutes. Mr. Young then came up to me, and from him, I had the first intimation that it was intended to shoot Thomas Scott, and that the sentence was to be carried into effect at 12 o'clock, noon, that day. We agreed in believing that the thing was too monstrous to be possible, and Mr. Young mentioned that poor Scott himself was equally incredulous on the subject, thinking they merely intended to frighten him. However, even to keep him in suspense was of itself a horrible cruelty; and it was arranged that as Mr. Young had been sent for to attend the man, he should see Riel, ascertain exactly how the matter stood, and, if really serious, to let me know at once. Mr. Young accordingly called on Riel, was informed that Scott had been condemned, that the sentence was irrevocable, and would not be delayed one minute beyond noon. Mr. Young begged for delay, saying "the man is not prepared to die," but all without avail. He was paralyzed with horror, returned to the prisoner, and immediately, sent a messenger to inform me of the result of his visit. I determined to find out Riel immediately, but recollecting that Père Lestanc was still up stairs with Mr. McTavish, went to him, related what I had heard, and asked him if he knew anything about the matter. His answer I cannot give in precise words, but it was to the effect that they had seen Mr. Riel on the other side (St. Boniface), and had all spoken to him about it, by which I understood that *they* had interceded for Scott. Governor McTavish was greatly shocked on being informed of Riel's purpose, and joined in reprobating it. Père Lestanc consented to accompany me, and we called on Riel. When we entered, he asked me "what news from Canada." The mail had arrived the preceding day, and I replied, "only the intelligence that Bishop Taché will be here very soon." I then mentioned what I had heard regarding Scott, and before Riel answered, Père Lestanc interposed in French words, meaning "is there no *way of escape?*" Riel replied to him, "my

Rev. Père, you know exactly how the matter stands," then turning to me, he said I will explain to you, speaking at first in English, but shortly after using the French, remarking to me, "you understand that language." He said in substance that Scott had throughout been a most troublesome character, had been the ringleader in a rising against Mr. Snow, who had charge of the party employed by the Canadian Government during the preceding summer in road making; that he had risen against the "Provisional Government" in December last, that his life was then spared; that he escaped, had again been taken in arms, and once more pardoned,—referring no doubt to the promise he had made to me that the lives and liberty of all the prisoners were secured—but that he was incorrigible, and quite incapable of appreciating the clemency with which he had been treated, that he was rough and abusive to the guards, and insulting to him, Mr. Riel, that his example had been productive of the very worst effects on the other prisoners, who had become insubordinate to such an extent, that it was di cult to withhold the guards from retaliating. He further said, "I sat down with Scott as we are doing now, and asked him truthfully to tell me, as I would not use his statement against him, what he and the Portage party intended to have done with me, had they succeeded in capturing me, when they surrounded Coertu's house," to which he replied, "we intended to keep you as a hostage for the safety of the prisoners." I argued with Riel, and endeavoured to show that some of the circumstances he had mentioned, and especially the last, were very strong reasons to urge why Scott's life should not be sacrificed and that, if as he represented, Scott was a rash, thoughtless man, whom none cared to have anything to do with, no evil need be apprehended from his example. I pointed out that the one great merit claimed for the insurrection was that, so far, it had been bloodless, except in one sad instance, which all were willing to look upon as an accident, and implored him not now to stain it, to burden it with what would be considered a horrible crime. He exclaimed "we must make Canada respect us." I replied, "she has every proper respect for the people of Red River, and this is shown in her having sent Commissioners to treat with them." I told him I had seen the prisoners some time back, when they commissioned me to say to their friends at the Portage, that they desired peace, and I offered to go to them again and reason with them, should that be necessary. On this he said, "look here, Mr. Smith, Mr. Scott,

the representative, went to see the prisoners at my desire, and on asking them whom they would vote for as Councillor, if they were permitted a choice outside of their own body, Thos. Scott came forward and said, "my boys have nothing to do with those ——Americans." And when I remarked "this is really a most trifling affair, and ought not to have been repeated," he said, "do not attempt to prejudice us against the Americans, for although we have not been with them—they are with us, and have been better friends to us than the Canadians." Much more was said on both sides, but argument, entreaty, and protest alike failed to draw him from his purpose and he closed by saying, "I have done three good things since I commenced, I have spared Bolton's life at your instance, and I do not regret it, for he is a fine fellow, I pardoned Gaddy, and he showed his gratitude by escaping out of the bastion, but I don't grudge him his miserable life, and now I shall shoot Scott." Lépine, the Adjutant-General, who was president of the Council of Seven, which tried Scott,—and five of whom, Riel told me, "with the tears streaming from their eyes, condemned him as worthy of death," a sentence which he had confirmed—now entered, and in answer to Riel, said "he must die," Riel then requested the Rev. Père Lestanc to put the people on their knees for prayer as it might do good to the condemned man's soul. Referring to Père Lestanc and making a final appeal unnecessary here to repeat I retired. It was now within a few minutes of one o'clock and on entering the Governor's house Rev. Mr. Young joined me, and said, "It is now considerably past the hour, I trust you have succeeded." "No, I said," for God's sake go back at once to the poor man, for I fear the worst." He left immediately, and a few minutes after he entered the room in which the prisoner was confined, some guards marched in and told Scott his hour was come. Not until then did the reality of his position flash upon poor Scott. He said good-bye to the other prisoners, was led outside the gate of the Fort, with a white handkerchief covering his head, his coffin, having a piece of white cotton thrown over it, was carried out; his eyes were bandaged; he continued in prayer, in which he had been engaged on the way for a few minutes; he asked Mr. Young how he should place himself, whether standing or kneeling, then knelt in the snow, said farewell, and immediately after fell back pierced by three bullets, which passed through his body. The firing party consisted of six men, all of whom it is said were more or less intoxicated.

It has been further stated that only three of the muskets were loaded with ball cartridge, and that one man did not discharge his piece. Mr. Young turned aside when the first shots were fired, then went back to the body and again retired for a moment while a man discharged his revolver at the sufferer, the ball it is said, entering the eye and passing round the head.

The wounded man groaned between the time of receiving the musket shots and the discharge of the revolvers. Mr. Young asked to have the remains for interment in the burying ground of the Presbyterian church, but this was not acceded to, and a similar request preferred by the Bishop of Rupert's Land was also refused. He was buried within the walls of the fort. On descending the steps leading from the prison, poor Scott, addressing Mr. Young said "This is a cold-blooded murder," then engaged in prayer, and was so occupied until he was shot.

After this date I held no communication whatsoever with Riel, except in reference to getting away from the country, which I was not allowed to leave without a pass. I felt that under the circumstances it was not desirable I should remain longer at Red River, but it was not until late in the night of the 18th inst. Riel gave permission for my departure.

Although not accomplishing all that could have been desired, the mission to Red River, as I shall endeavour to show in a few words, has been productive of some good, and that it was not entirely successful, may fairly be attributed to the circumstances above referred to in connection with the action taken and meetings held in January last. Success, although in a lesser degree, might also have been gained at a later period but for the rising in February, which, though rash and productive of results the most unfortunate, I can hardly blame, knowing, as already stated, that those who took part in it were actuated and impelled by generous motives.

On reaching Red River in December last, I found the English-speaking portion of the inhabitants greatly divided in opinion as to the comparative advantages of union with Canada and the formation of a Crown colony, while a few, a very small number, favored annexation to the United States. The explanations offered on the part of Canada they received as satisfactory, and, with hardly a dissentient voice, they would now vote for the immediate transfer to the Dominion. They earnestly requested me to assure His Excellency the Governor General of their warm loyalty to the British Crown.

The case is different as regards the French half-breeds. A not inconsiderable number of them remained true to their allegiance during all the troubles through which they have had to pass, and with these will now be found associated many others whose minds had for a time been poisoned by gross misrepresentations made by designing men for their own selfish ends. A knowledge of the true state of the case, and of the advantages they would derive from union with Canada, had been carefully kept from them, and they were told to judge of Canadians generally, by the acts and bearing of some of the less reflective immigrants, who had denounced them as "cumberers of the ground," who must speedily make way for the "superior race" about to pour in upon them.

It is also too true that in the unauthorised proceedings of some of the recent Canadian arrivals, some plausible ground had been given for the feeling of jealousy and alarm with which the contemplated change of Government was regarded by the native population. In various localities these adventurers had been industriously marking off for themselves considerable, and in some cases very extensive and exceptionally valuable tracts of land, thereby impressing the minds of the people with the belief that the time had come when, in their own country, they were to be entirely supplanted by the stranger, a belief, however, which I have no doubt, might have been completely precluded by the prevention of all such operations, until Canada had fully unfolded her policy and shown the groundlessness of these fears.

Let us further bear in mind that many of the Catholic clergy in the country are not French Canadians but Frenchmen, and consequently, it may be presumed, not very conversant with British laws and institutions and with the liberty and privileges enjoyed under them. Warmly attached to their flocks, they deemed it necessary to exact some guarantee that, in their new political condition, they would not be treated with injustice. It is unnecessary here to point out how the breach widened until at length it attained a magnitude and significance little dreamt of in the commencement, even by those who joined most heartily in the movement. It is far more pleasing to be able to state, which I do with much confidence, that a large majority of the French party have no misgivings as to union with Canada, and that joined by and under the guidance of His Lordship, Bishop Taché, and other members of the clergy who enjoy their confidence, they will

very shortly prove themselves to be staunch supporters of the Dominion, firm in their allegiance to England.

In course of the insurrection one deplorable crime and many grossly illegal acts have unquestionably been committed, but it would be alike impolitic and unjust to charge them on the French population generally.

Much obloquy has been heaped on the Hudson's Bay Company and their Governor and officers in the North-west, which I consider it quite unnecessary at this moment, even to attempt to answer or refute, although, not doubting that both could be readily and satisfactorily done. Errors, many and grave, have, it cannot be denied, been committed on all sides, but wilful and intentional neglect of duty, cannot, I feel convinced, be laid to the charge, either of the Hudson's Bay Company, or their representatives in the Country. Personally, I have been entirely unconnected with the administration of affairs in that department.

I would respectfully submit, that it is of the utmost importance, there should be a strong military force in the North-west as early as practicable. The minds of the Indians, especially the tribes in the Saskatchewan Country have been so perplexed and confused, by the occurrences of the past six months, that it would be very unsafe to trust to their forbearance; and indeed, until the question of Indian claims has been finally settled, it would not, in my opinion, be prudent to leave the country unprotected by military. The adjustment of those claims will require early attention, and some memoranda and evidence in my hands on the subject, I shall, if desired, be prepared to lay before the Government.

I have the honor to be, Sir,

Your obedient servant,

Don. A. Smith.

24. Rupert's Land Act, 1868.

31-32 Victoria, Chapter 105.

An Act for enabling Her Majesty to accept a Surrender upon Terms of the Lands, Privileges, and Rights of "The Governor and Company of Adventurers of England trading into Hudson's Bay," and for admitting the same into the Dominion of Canada.

[31*st July*. 1868.]

Recital of charter of Hudson's Bay Company 22 Car. 2.

WHEREAS by certain letters Patent granted by His late Majesty King Charles the Second in the Twenty-second Year of His Reign certain Persons therein named were incorporated by the Name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," and certain Lands and Territories, Rights of Government, and other Rights, Privileges, Liberties, Franchises, Powers, and Authorities, were thereby granted or purported to be granted to the said Governor and Company in His Majesty's Dominion in North America:

And whereas by the British North America Act, 1867, it was (amongst other things) enacted that it should be lawful for Her Majesty, by and with the Advice of Her Majesty's most Honorable Privy Council, on Address from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union on such Terms and Conditions as are in the Address expressed and as Her Majesty thinks fit to approve, subject to the provisions of the said Act:

Recital of Agreement of Surrender.

And whereas for the Purpose of carrying into effect the Provisions of the said British North America Act, 1867, and of admitting Rupert's Land into the said Dominion as aforesaid upon such Terms as Her Majesty thinks fit to approve, it is expedient that the said Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities, so far as the same have been lawfully granted to the said Company, should be surrendered to Her Majesty, Her Heirs and Successors, upon such Terms and Conditions as may be agreed upon by and between Her Majesty and the said Governor and Company as hereinafter mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords, Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short title. 1. This Act may be cited as "Rupert's Land Act, 1868."

Definition of "Rupert's Land." 2. For the Purposes of this Act the Term "Rupert's Land," shall include the whole of the Lands and Territories held or claimed to be held by the said Governor and Company.

Power to Her Majesty to accept Surrender of Lands, &c., of the Company upon certain terms. 3. It shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty by any Instrument under Her Sign Manual and Signet to accept a Surrender of all or any of the Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities whatsoever granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, upon such Terms and Conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such Surrender shall not be accepted by Her Majesty until the Terms and Conditions upon which Rupert's Land shall be admitted into the said Dominion of Canada shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from both the Houses of the Parliament of Canada in pursuance of the One hundred and forty-sixth Section of the British North America Act, 1867; and that the said Surrender and Acceptance thereof shall be null and void unless within a Month from the Date of Such Acceptance Her Majesty does by Order in Council under the Provisions of the said last recited Act admit Rupert's Land into the said Dominion; provided further, that no Charge shall be imposed by such Terms upon the Consolidated Fund of the United Kingdom.

Extinguishment of all Rights of the Company. 4. Upon the Acceptance by Her Majesty of such Surrender all Rights of Government and Proprietary Rights, and all other Privileges, Liberties, Franchises, Powers, and Authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, and which shall have been so surrendered, shall be absolutely extinguished; provided that nothing herein contained shall prevent the said Governor and Company from continuing to carry on in Rupert's Land or elsewhere Trade and Commerce.

5. It shall be competent to Her Majesty by any such Order or Orders in Council as aforesaid, on Address from the Houses of the Parliament of Canada, to declare that Rupert's Land shall, from a Date to be therein mentioned, be admitted into and become part of the Dominion of Canada and thereupon it shall be lawful for the Parliament of Canada from the Date aforesaid to make, ordain, and establish within the Land and Territory so admitted as aforesaid all such Laws, Institutions, and Ordiances, and to constitute such Courts and Officers, as may be necessary for the Peace, Order, and good overnment of Her Majesty's Subjects and others therein: Provided that, until otherwise enacted by the said Parliament of Canada, all the Powers, Authorities, and Jurisdiction of the several Courts of Justice now established in Rupert's Land, and of the several Officers thereof, and of all Magistrates and Justices now acting within the said Limits, shall continue in full force and effect therein.

Power to Her Majesty. By Order in Council to admit Rupert's Land into and form Part of the Dominion of Canada.

Jurisdiction of present Courts and Officers continued.

25. Order of Her Majesty in Council admitting Rupert's Land and the North-Western Territory into the Union.

At the Court at *Windsor,* the 23rd day of *June,* 1870.

PRESENT:

The QUEEN'S Most Excellent Majesty.
Lord President.
Lord Privy Seal.
Lord Chamberlain.
Mr. Gladstone.

WHEREAS by the "*British North America Act,* 1867," it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honorable Privy Council, on Address from the Houses of the Parliament of Canada. to admit Rupert's Land and the North-Western Territory, or either of them, into the Union on such terms and conditions in each case as should be in the Addresses expressed, and as the Queen should think fit to approve, subject to the provisions of the said Act. And it was further enacted that the provisions of any Order in Council in that behalf should have effect as if they had been enacted by

the Parliament of the United Kingdom of Great Britain and Ireland:

And whereas by an Address from the Houses of the Parliament of Canada, of which Address a copy is contained in the Schedule to this Order annexed, marked A, Her Majesty was prayed, by and with the advice of Her Most Honorable Privy Council, to unite Rupert's Land and the North-Western Territory with the Dominion of Canada, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government upon the terms and conditions therein stated:

And whereas by the "*Rupert's Land Act,* 1868," it was (amongst other things) enacted that it should be competent for the Governor and Company of Adventurers of England trading into Hudson's Bay (hereinafter called the Company) to surrender to Her Majesty, and for Her Majesty, by any Instrument under Her Sign Manual and Signet to accept a surrender of all or any of the lands, territories, rights, privileges, liberties, franchises, powers, and authorities whatsoever, granted or purported to be granted by certain Letters Patent therein recited to the said Company within Rupert's Land, upon such terms and conditions as should be agreed upon by and between Her Majesty and the said Company; provided, however, that such surrender should not be accepted by Her Majesty until the terms and conditions upon which Rupert's Land should be admitted into the said Dominion of Canada should have been approved of by Her Majesty and embodied in an Address to Her Majesty from both the Houses of the Parliament of Canada, in pursuance of the 146th Section of the "*British North America Act,* 1867:"

And it was by the same Act further enacted that it should be competent to Her Majesty, by Order or Orders in Council, on Addresses from the Houses of the Parliament of Canada, to declare that Rupert's Land should, from a date to be therein mentioned, be admitted into and become part of the Dominion of Canada:

And whereas a second Address from both the Houses of the Parliament of Canada has been received by Her Majesty praying that Her Majesty will be pleased, under the provisions of the hereinbefore recited Acts, to unite Rupert's Land on the terms and conditions expressed in certain Resolutions therein referred to and approved of by Her Majesty, of which said Resolutions and Address copies are contained in the Schedule

to this Order annexed, marked B, and also to unite the North-Western Territory with the Dominion of Canada, as prayed for by and on the terms and conditions contained in the hereinbefore first recited Address, and also approved of by Her Majesty:

And whereas a draft surrender has been submitted to the Governor-General of Canada containing stipulations to the following effect, viz.:—

1. The sum of 300,000*l*, (being the sum hereinafter mentioned) shall be paid by the Canadian Government into the Bank of England to the credit of the Company within six calendar months after acceptance of the surrender aforesaid, with interest on the said sum at the rate of 5 per cent. per annum, computed from the date of such acceptance until the time of such payment.

2. The size of the blocks which the Company are to select adjoining each of their forts in the Red River limits, shall be as follows:—

	Acres.
Upper Fort Garry and town of Winnipeg, including the inclosed park around shop and ground at the entrance of the town	500
Lower Fort Garry (including the farm the Company now have under cultivation)	500
White Horse Plain	500

3. The deduction to be made as hereinafter mentioned from the price of the materials of the Electric Telegraph, in respect of deterioration thereof, is to be certified within three calendar months from such acceptance as aforesaid by the agents of the Company in charge of the depots where the materials are stored. And the said price is to be paid by the Canadian Government into the Bank of England to the credit of the Company within six calendar months of such acceptance, with interest at the rate of 5 per cent. per annum on the amount of such price, computed from the date of such acceptance until the time of payment:

And whereas the said draft was on the fifth day of July, one thousand eight hundred and sixty-nine, approved by the said Governor-general in accordance with a Report from the Committee of the Queen's Privy Council for Canada; but it was not expedient that the said stipulations, not being contained in the aforesaid second Address, should be included in the surrender by the said Company to Her Majesty of their rights aforesaid or in this Order in Council.

And whereas the said Company did by deed under the seal of the said Company, and bearing date the nineteenth day of November, one thousand eight hundred and sixty-nine, of which deed a copy is contained in the Schedule to this Order annexed, marked C, surrender to Her Majesty all the rights of government, and other rights, privileges, liberties, franchises, powers and authorities granted, or purported to be granted to the said Company by the said Letters Patent herein and hereinbefore referred to, and also all similar rights which may have been exercised or assumed by the said Company in any parts of British North America not forming part of Rupert's Land, or of Canada or of British Columbia, and all the lands and territories (except and subject as in the terms and conditions therein mentioned) granted or purported to be granted to the said Company by the said Letters Patent:

And whereas such surrender has been duly accepted by Her Majesty, by an instrument under her Sign Manual and Signet, bearing date at Windsor the twenty-second day of June, one thousand eight hundred and seventy:

It is hereby Ordered and declared by Her Majesty, by and with the advice of the Privy Council, in pursuance and exercise of the powers vested in Her Majesty by the said Acts of Parliament, that from and after the fifteenth day of July, one thousand eight hundred and seventy, the said North-Western Territory shall be admitted into and become part of the Dominion of Canada upon the terms and conditions set forth in the first hereinbefore recited Address, and that the Parliament of Canada shall from the day aforesaid have full power and authority to legislate for the future welfare and good government of the said Territory. And it is further ordered that, without prejudice to any obligations arising from the aforesaid approved Report, Rupert's Land shall from and after the said date be admitted into and become part of the Dominion of Canada upon the following terms and conditions, being the terms and conditions still remaining to be performed of those embodied in the said second address of the Parliament of Canada, and approved of by Her Majesty as aforesaid:—

1. Canada is to pay to the Company 300,000*l*, when Rupert's Land is transferred to the Dominion of Canada.

2. The Company are to retain the posts they actually occupy in the North-Western Territory, and may, within twelve months of the surrender, select a block of land adjoining each of its posts within any part of British North America not com-

prised in Canada and British Columbia, in conformity, except as regards the Red River Territory, with a list made out by the Company and communicated to the Canadian Ministers, being the list in the Schedule of the aforesaid Deed of Surrender. The actual survey is to be proceeded with, with all convenient speed.

3. The size of each block is not to exceed [10] acres round Upper Fort Garry, [300] acres round Lower Fort Garry; in the rest of the Red River Territory a number of acres to be settled at once between the Governor in Council and the Company, but so that the aggregate extent of the blocks is not to exceed 50,000 acres.

4. So far as the configuration of the country admits, the blocks shall front the river or road by which means of access are provided, and shall be approximately in the shape of parallelograms, of which the frontage shall not be more than half the depth.

5. The Company may, for fifty years after the surrender, claim in any township or district within the Fertile Belt, in which land is set out for settlement, grants of land not exceeding one twentieth part of the land so set out. The blocks so granted to be determined by lot, and the Company to pay a rateable share of the survey expenses, not exceeding 8 cents Canadian an acre. The Company may defer the exercise of their right of claiming the proportion of each township for not more than ten years after it is set out; but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.

6. For the purpose of the last Article, the Fertile Belt is to be bounded as follows:—On the south by the United States boundary; on the west by the Rocky Mountains; on the north by the northern branch of the Saskatchewan; on the east by Lake Winnipeg, the Lake of the Woods, and the waters connecting them.

7. If any township shall be formed abutting on the north bank of the northern branch of the Saskatchewan River, the Company may take their one-twentieth of any such township, which for the purpose of this Article shall not extend more than five miles inland from the river, giving to the Canadian Dominion an equal quantity of the portion of lands coming to them of townships established on the southern bank.

8. In laying out any public roads, canals, &c., through any block of land reserved to the Company, the Canadian Government may take, without compensation, such land as is necessary for the purpose, not exceeding one twenty-fifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, or which has been built upon, or which is necessary for giving the Company's servants access to any river or lake, or as a frontage to any river or lake, they shall pay to the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

9. It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause shall be appropriated for public purposes.

10. All titles to land up to the eighth day of March, one thousand eight hundred and sixty-nine, conferred by the Company are to be confirmed.

11. The Company is to be at liberty to carry on its trade without hindrance in its corporate capacity, and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duties on goods introduced by them previous to the surrender.

12. Canada is to take over the materials of the electric telegraph at cost price—such price including transport, but not including interest for money, and subject to a deduction for ascertained deterioration.

13. The Company's claim to land under agreements of Messrs. Vankoughnet and Hopkins is to be withdrawn.

14. Any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government in communication with the Imperial Government; and the Company shall be relieved of all responsibility in respect of them.

15. The Governor in Council is authorized and empowered to arrange any details that may be necessary to carry out the above terms and conditions.

And the Right Honorable Earl Granville, one of Her Majesty's principal Secretaries of State, is to give the necessary directions herein accordingly.

SCHEDULES.

Schedule (A).

Address to Her Majesty the Queen from the Senate and House of Commons of the Dominion of Canada.

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Senate and Commons of the Dominion of Canada in Parliament assembled, humbly approach your Majesty for the purpose of representing:—

That it would promote the prosperity of the Canadian people, and induce to the advantage of the whole Empire, if the Dominion of Canada, constituted under the provisions of the "*British North America Act,* 1867," were extended westward to the shores of the Pacific Ocean.

That the colonization of the fertile lands of the Saskatchewan, the Assiniboine, and the Red River districts; the development of the mineral wealth which abounds in the region of the North-west; and the extension of commercial intercourse through the British possessions in America from the Atlantic to the Pacific, are alike dependent on the establishment of a stable government for the maintenance of law and order in the North-western Territories.

That the welfare of a sparse and widely scattered population of British subjects of European origin, already inhabiting these remote and unorganized territories, would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances will admit, to those which exist in the several Provinces of this Dominion.

That the 146th section of the "*British North America Act,* 1867," provides for the admission of Rupert's Land and the North-western Territory, or either of them, into union with Canada, upon the terms and conditions to be expressed in addresses from the Houses of Parliament of this Dominion to your Majesty, and which shall be approved of by your Majesty in Council.

That we do therefore most humbly pray that your Majesty will be graciously pleased, by and with the advice of your Most Honorable Privy Council, to unite Rupert's Land and the

North-western Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good Government; and we most humbly beg to express to your Majesty that we are willing to assume the duties and obligations of government and legislation as regards these territories.

That in the event of your Majesty's Government agreeing to transfer to Canada the jurisdiction and control over the said region, the Government and Parliament of Canada will be ready to provide that the legal rights of any corporation, company or individual within the same shall be respected, and placed under the protection of Courts of competent jurisdiction.

And furthermore that, upon the transference of the territories in question to the Canadian Government, the claims of the Indian tribes to compensation for lands required for purposes of settlement will be considered and settled in conformity with the equitable principles which have uniformly governed the British Crown in its dealings with the aborigines.

All which we humbly pray your Majesty to take into your Majesty's Most gracious and favorable consideration.

The Senate, Tuesday, December 17th, 1867.

(Signed), JOSEPH CAUCHON, Speaker.

House of Commons, Monday, December 16th, 1867.

(Signed), JAMES COCKBURN, Speaker.

SCHEDULE (B).

1. *Resolutions.*

May 28th, 1869.

Resolved,—That the Senate and Commons of the Dominion of Canada, during the first session of the first Parliament of Canada, adopted an Address to Her Majesty, praying that Her Majesty would be graciously pleased, by and with the advice of Her Most Honorable Privy Council, under the provisions of 146th section of "*The British North America Act,* 1867"; and on the terms specified in the Address, to unite Rupert's Land and the North-West Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government, and assuring Her

Majesty of the willingness of the Parliament of Canada to assume the duties and obligations of government and legislation as regards those territories.

Resolved,—That the Joint Address of the Senate and Commons of Canada was duly laid at the foot of the throne, and that Her Majesty, by despatch from the Right Honorable the Secretary of State for the Colonies, to the Governor General of Canada, under date of 23rd of April, 1868, signified Her willingness to comply with the prayer of the said Address; but She was advised that the requisite powers of government and legislation could not, consistently with the existing charter of the Hudson's Bay Company, be transferred to Canada without an Act of Parliament, which Act was subsequently passed by the Imperial Parliament, and received Her Majesty's Assent on the 31st July, 1868.

Resolved,—That by despatch dated 8th August, 1868, from the Honorable Secretary of State for the Colonies, the Governor General was informed, that in pursuance of the powers conferred by the Act for the surrender of the Hudson Bay Territories to Her Majesty, he proposed to enter into negotiations with the Company as to the terms of such surrender, whereupon, under authority of an order of the Governor-General in Council of the 1st October, 1868, the Honorable Sir George Et. Cartier, Baronet, and the Honorable William McDougall, C.B., were appointed a Delegation to England, to arrange the terms for the acquisition by Canada of Rupert's Land, and by another Order in Council of the same date, were authorized to arrange for the admission of the North-west Territory into union with Canada, either with or without Rupert's Land, as it might be found practicable and expedient.

Resolved,—That the Delegates proceeded on their mission to England and entered into negotiations with his Grace the Duke of Buckingham and Chandos, the Secretary of State for the Colonies, and afterwards with the Right Honorable Earl Granville, his successor in office, for the acquisition by Canada of the territorial and other rights claimed by the Hudson's Bay Company in Rupert's Land, and in any other part of British North America, not comprised in Rupert's Land, Canada, or British Columbia. That terms of agreement were conditionally assented to by the Delegates on behalf of the Dominion, and on their return to Canada were submitted with a Report dated 8th May, 1869, which was approved by His Excellency the Governor in Council, on the 14th day of the same month.

Resolved,—That the Senate will be prepared to concur in accepting the transfer of the territorial and other rights of the Hudson's Bay Company in Rupert's Land, and in any other part of British North America, not comprised in Rupert's Land, Canada or British Columbia, on the terms conditionally agreed to on behalf of the Government of Canada, by the Hon. Sir George Et. Cartier, Baronet, and the Hon. William MacDougall, C.B., and on behalf of the Hudson's Bay Company, by Sir Stafford H. Northcote, Governor of that Company, and approved by His Excellency in Council as aforesaid, which terms are set forth in a letter from Sir Frederic Rogers, Under-Secretary of State for the Colonies, of the 9th March, 1869, communicated to the Delegates by direction of Earl Granville, and in two subsequent Memorandums dated respectively 22nd and 29th March, 1869, containing a modification of such terms, and are in the words and figures following:

"*Terms as stated in the Letter from Sir Frederic Rogers, of March,* 1869.

"1. The Hudson's Bay Company to surrender to Her Majesty all the rights of Government, property, &c., in Rupert's Land which are specified in 31 & 32 Vict., cap. 105, sec. 4; and also all similar rights in any other part of British North America, not comprised in Rupert's Land, Canada or British Columbia.

"2. Canada is to pay to the Company 300,000*l.*, when Rupert's Land is transferred to the Dominion of Canada.

"3. The Company may, within twelve months of the surrender, select a block of land adjoining each of its stations, within the limits specified in Article 1.

"4. The size of the blocks not to exceed acres in the Red River Territory, and the aggregate extent of the blocks is not to exceed 50,000 acres.

"5. So far as the configuration of the country admits, the blocks are to be in the shape of parallelograms, of which the length is not more than double the breadth.

"6. The Hudson's Bay Company may, for fifty years after the surrender, claim in any township or district within the Fertile Belt in which land is set out for settlement, select grants of land, not exceeding one-twentieth of the land so set out. The blocks so granted to be determined by lot, and the Hudson's

Bay Company to pay a rateable share of the survey expenses, not exceeding an acre.

"7. For the purpose of the present agreement, the Fertile Belt is to be bounded as follows:—On the south by the United States' boundary; on the west by the Rocky Mountains; on the north by the northern branch of the Saskatchewan; on the east by Lake Winnipeg, the Lake of the Woods, and the waters connecting them.

"8. All titles to land up to the 8th March, 1869, conferred by the Company, are to be confirmed.

"9. The Company is to be at liberty to carry on its trade without hindrance, in its corporate capacity and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duty on goods introduced by them previous to the surrender.

"10. Canada is to take over the materials of the electric telegraph at cost price, such price including transport but not including interest for money, and subject to a deduction for ascertained deteriorations.

"11. The Company's claim to land under agreement of Messrs. Vankoughnet and Hopkins to be withdrawn.

"12. The details of this arrangement, including the filling up the blanks in Articles 4 and 6, to be settled at once by mutual agreement."

"MEMORANDUM.

"*Details of Agreement between the Delegates of the Govern-*
"*ment of the Dominion, and the Directors of the Hudson's*
"*Bay Company.*

"1. It is understood that, in surrendering to Her Majesty, all the rights, &c., of the Company in any part of British North America not comprised in Rupert's Land, Canada or British Columbia, the Company are to retain the posts they actually occupy in the North West Territory.

"2. It is understood that it will be a sufficient act of selection under Article III, that the Company should, within twelve months, name the number of acres which they will require adjoining each post. The actual survey to be proceeded with, with all convenient speed.

"3. It is understood that in the Red River Settlement, the size of the blocks to be retained round Upper Fort Garry shall

not exceed (10) acres; and that round Lower Fort Garry shall not exceed (300) acres.

"4. It is understood that a list of the stations round which the Company will require blocks of land, with the size of the blocks they will require, shall be made out forthwith, and communicated to the Canadian Ministers.

"5. It is understood that Article V shall be construed to mean that the blocks shall front the river or road, by which means of access are provided, and shall be approximately in the form of parallelograms, of which the frontage shall not be more than half the depth.

"6. It is understood that the Company may defer the exercise of their right of claiming their proportion of each township for not more than ten years after it is set out; but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.

"7. It is understood that the Blank in Article 6 shall be filled up with 8 cents (Canadian).

"8. It is understood that any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government, in communication with the Imperial Government, and that the Company shall be relieved of all responsibility in respect of them.

(Signed.) "Stafford H. Northcote.
"G. E. Cartier.
"W. MacDougall.

"March 22, 1869."

"*Memorandum of a further Agreement between Sir Geo. Et. Cartier and Sir Stafford Northcote.*

"Inasmuch as the northern branch of the Saskatchewan River is the northern boundary of the Fertile Belt, and therefore any land on the northern bank is not within the territory of which the Company are to have one-twentieth part, it is understood that, in forming the townships abutting on the northern bank, the Company shall be at liberty to take their one-twentieth of any such townships, giving up to the Canadian Dominion an equal quantity of the portion of lands coming to them of townships established on the southern bank.

"It is understood that the townships on the northern bank shlal not for the above purpose extend more than five miles inland from the river.

"It is understood that, in laying out any public roads, canals &c., through any block of land reserved to the Company, the Canadian Government may take, without compensation, such land as is necessary for the purpose, not exceeding one-twenty-fifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, or which has been built upon, or which is necessary for giving the Company's servants access to any river or lake, or as a frontage to any river or lake, they shall pay the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

"It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause shall be appropriated for public purposes.

(Signed.) "GEO. ET. CARTIER.
"STAFFORD NORTHCOTE.

"London, March 29, 1869."

Resolved,—That this House learns with satisfaction, by letter from the Under-Secretary of State for the Colonies, of 9th March last, that, in fulfilment of the expectations held out in Mr. Cardwell's despatch of 17th June, 1865, Her Majesty's Government will be prepared to propose to Parliament that the Imperial guarantee be given to a loan of 300,000*l.*, the amount which is proposed to be paid over by Canada on the transfer of the Company's rights.

Resolved,—That the Senate will be ready to concur with the House of Commons in an Address to Her Majesty, that she will be graciously pleased, by and with the advice of Her Most Honorable Privy Council, under the 146th clause of "*The British North America Act,* 1867," and the provisions of the Imperial Act, 31 & 32 Vict., cap. 105, to unite Rupert's Land on the terms and conditions expressed in the foregoing Resolutions, and also to unite the North-Western Territory with the Dominion of Canada, as prayed for by, and on the terms and conditions contained in the joint Address of the Senate and the House of Commons of Canada, adopted during the first session of the first Parliament of Canada, and hereinbefore referred to.

Resolved,—That upon the transference of the territories in question to the Canadian Government, it will be the duty of the Government to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer.

Resolved,—That the Governor in Council be authorized and empowered to arrange any details, that may be necessary to carry out the terms and conditions of the above agreement.

2. *Address.*

To the Queen's Most Excellent Majesty.

Most Gracious Sovereign,

WE, your Majesty's most dutiful and loyal subjects, the Senate and Commons of the Dominion of Canada in Parliament assembled, humbly approach your Majesty for the purpose of representing:—

That, during the first session of the first Parliament of this Dominion, we adopted an Address to your Majesty, praying that your Majesty would be graciously pleased, by and with the advice of your Majesty's Most Honorable Privy Council under the provisions of the 146th Section of "*The British North America Act,* 1867," and on the terms specified in that Address, to unite Rupert's Land and the North-West Territory with this Dominion, and to grant to the Parliament of Canada authority to legislate for their future welfare and good government, and assuring your Majesty of the willingness of the Parliament of Canada to assume the duties and obligations of Government and legislation as regards those territories.

That our joint Address was duly laid at the foot of the Throne, and that your Majesty, by despatch from the Right Honorable the Secretary of State for the Colonies to the Governor General of Canada, under date of the 23rd April, 1868, signified your Majesty's willingness to comply with the prayer of the said Address, but that your Majesty was advised that the requisite powers of government and legislation could not, consistently with the existing charter of the Hudson's Bay Company, be transferred to Canada without an Act of Parlia-

ment, which Act was subsequently passed by the Imperial Parliament, and received your Majesty's assent on the 31st July, 1868.

That by a despatch dated 8th August, 1868, from the Honorable the Secretary of State for the Colonies, the Governor General was informed that in pursuance of the powers conferred by the Act for the surrender of the Hudson's Bay territories to your Majesty he proposed to enter into negotiations with the company as to the terms of such surrender, whereupon, under authority of an Order of the Governor-General in Council, of the 1st October, 1868, the Honorable Sir George Et. Cartier, Baronet, and the Honorable William MacDougall, C.B., were appointed a delegation to England to arrange the terms for the acquisition by Canada of Rupert's Land, and by another Order in Council of the same date, were authorized to arrange for the admission of the North West Territory into union with Canada either with or without Rupert's Land, as might be found practicable and expedient.

That the delegates proceeded on their mission to England, and entered into negotiations with his Grace the Duke of Buckingham and Chandos, then Secretary of State for the Colonies, and afterwards with the Right Honorable Earl Granville, his successor in office, for the acquisition by Canada of the territorial and other rights claimed by the Hudson's Bay Company in Rupert's Land, and in any other part of British North America not comprised in Rupert's Land, Canada or British Columbia, on the terms conditionally agreed to on behalf of the Government of Canada by the Honorable Sir George Et. Cartier, Baronet, and the Honorable William MacDougall, C.B., and on behalf of the Hudson's Bay Company, by Sir Stafford H. Northcote, Governor of that Company, and approved by His Excellency in Council as aforesaid, which terms are set forth in a letter from Sir Frederic Rogers, Under-Secretary of State for the Colonies, of the 9th March, 1869, communicated to the delegates by direction of Earl Granville, and in two subsequent Memorandums dated respectively 22nd and 29th March, 1869, containing a modification of such terms, and are in the words and figures following:

"Terms, as stated in the Letter from Sir Frederic Rogers of 9th March, 1869.

MEMORANDUM.

"Details of Agreement between the Delegates of the Government of the Dominion and the Directors of the Hudson's Bay Company.

(This memorandum, as set forth on pages 949, 950 supra, is here recited at length.)

"Memorandum of a further Agreement between Sir Geo. Et. Cartier and Sir Stafford Northcote.

(This memorandum, also above set forth, is here recited at length.)

That we learn with satisfaction by letter from the Under-Secretary of State for the Colonies, of the 9th March last, that, in fulfilment of the expectations held out in Mr. Cardwell's despatch of the 17th of June 1865, your Majesty's Government will be prepared to propose to Parliament that the Imperial guarantee be given to a loan of 300,000*l.* the amount which is proposed to be paid over by Canada on the transfer of the Company's rights.

That upon the transference of the territories in question to the Canadian Government it will be our duty to make adequate provision for the protection of the Indian tribes whose interests and well-being are involved in the transfer, and we authorize and empower the Governor in Council to arrange any details that may be necessary to carry out the terms and conditions of the above agreement.

We therefore most humbly pray that your Majesty will be graciously pleased, by and with the advice of your Most Honorable Privy Council, under the 146th clause of *"The British North America Act,* 1867," and the provisions of the Imperial Act 31 and 32 Vict. cap. 105, to unite Rupert's Land on the terms and conditions expressed in the foregoing resolutions and also to unite the NorthWestern Territory with the Dominion of Canada as prayed for by and on the terms and condi-

tions contained in our joint Address adopted during the first session of the first Parliament of this Dominion, and hereinbefore referred to.

The Senate, Monday, May 31, 1869.

(Signed,) JOSEPH CAUCHON, Speaker.

House of Commons, Ottawa, May 29, 1869.

(Signed,) JAMES COCKBURN, Speaker.

SCHEDULE (C).

The Governor and Company of Adventurers of England trading into Hudson's Bay to HER MAJESTY QUEEN VICTORIA.

DEED OF SURRENDER.

To all whom these presents shall come unto, or concern, the Governor and Company of Adventurers of England, trading into Hudson's Bay, send greeting.

WHEREAS the said Governor and Company were established and incorporated by their said name of "The Governor and Company of Adventurers of England, trading into Hudson's Bay," by Letters Patent granted by His late Majesty King Charles the Second in the twenty-second year of his reign, whereby His said Majesty granted unto the said company and their successors the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds in whatsoever latitude they should be, that lay within the entrance of the straits commonly called Hudson's Straits, together with all the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid, that were not already actually possessed by, or granted to, any of His Majesty's subjects, or possessed by the subjects of any other Christian Prince or State, and that the said land should be from thenceforth reckoned and reputed as one of His Majesty's Plantations or Colonies in America, called Rupert's Land; and whereby His said Majesty made and constituted the said Governor and Company and their successors the absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises

saving the faith, allegiance and sovereign dominion due to His said Majesty, his heirs and successors for the same; and granted to the said Governor and Company and their successors, such rights of Government and other rights, privileges and liberties, franchises, powers and authorities in Rupert's Land as therein expressed. And whereas ever since the date of the said Letters Patent, the said Governor and Company have exercised and enjoyed the sole right thereby granted of such trade and commerce as therein mentioned, and have exercised and enjoyed other rights, privileges, liberties, franchises, powers, and authorities thereby granted; and the said Governor and Company may have exercised or assumed rights of Government in other parts of British North America not forming part of Rupert's Land, or of Canada, or of British Columbia. And whereas by *"The British North America Act,* 1867," it is (amongst other things) enacted that it shall be lawful for Her present Majesty Queen Victoria, by and with the advice and consent of Her Majesty's most Honorable Privy Council, on address from the Houses of Parliament of Canada, to admit Rupert's Land and the North Western Territory or either of them into the Union of the Dominion of Canada on such terms and conditions as are in the Address expressed, and as Her Majesty thinks fit to approve, subject to the provisions of the said Act. And whereas, by the *" Rupert's Land Act, 1868,"* it is enacted (amongst other things) that for the purposes of that Act the term "Rupert's Land" shall include the whole of the lands and territories held or claimed to be held by the said Governor and Company, and that it shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty, by any instrument under Her Sign Manual and Signet to accept a surrender of all or any of the lands, territories, rights, privileges, liberties, franchises, powers and authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, upon such terms and conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such surrender shall not be accepted by Her Majesty until the terms and conditions upon which Rupert's Land shall be admitted into the said Dominion of Canada shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from the Houses of the Parliament of Canada, in pursuance of the 146th Section of *"The British North America Act,* 1867," and that upon the

acceptance by Her Majesty of such surrender, all rights of Government and proprietary rights, and all other privileges, liberties, franchises, powers and authorities whatsoever, granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, and which shall have been so surrendered, shall be absolutely extinguished, provided that nothing in the said Act contained shall prevent the said Governor and Company from continuing to carry on in Rupert's Land or elsewhere trade and commerce. And whereas Her said Majesty Queen Victoria and the said Governor and Company have agreed to terms and conditions upon which the said Governor and Company shall surrender to Her said Majesty, pursuant to the provisions in that behalf in the *"Rupert's Land Act, 1868,"* contained, all the rights of Government and other rights, privileges, liberties, franchises, powers and authorities, and all the lands and territories (except and subject as in the said terms and conditions expressed or mentioned) granted or purported to be granted by the said Lettters Patent, and also all similar rights which have been exercised or assumed by the said Governor and Company in any parts of British North America not forming part of Rupert's Land, or of Canada, or of British Columbia, in order and to the intent that, after such surrender has been effected and accepted under the provisions of the last-mentioned Act, the said Rupert's Land may be admitted into the Union of the Dominion of Canada, pursuant to the hereinbefore mentioned Acts or one of them. And whereas the said terms and conditions on which it has been agreed that the said surrender is to be made by the said Governor and Company (who are in the following articles designated as the Company) to Her said Majesty are as follows (that is to say):—

1. The Canadian Government shall pay to the Company the sum of 300,000*l.* sterling when Rupert's Land is transferred to the Dominion of Canada.

2. The Company to retain all the posts or stations now actually possessed and occupied by them or their officers or agents whether in Rupert's Land or any other part of British North America, and may within twelve months after the acceptance of the said surrender select a block of land adjoining each of their posts or stations, within any part of British North America, not comprised in Canada and British Columbia in conformity, except as regards the Red River Territory, with a list made out by the Company and communicated to the Canadian Ministers,

being the list in the annexed schedule. The actual survey is to be proceeded with, with all convenient speed.

3. The size of each block is not to exceed in the Red River Territory an amount to be agreed upon between the Company and the Governor of Canada in Council.

4. So far as the configuration of the country admits, the blocks shall front the river or road by which means of access are provided, and shall be approximately in the shape of parallelograms, and of which the frontage shall not be more than half the depth.

5. The Company may, at any time within fifty years after such acceptance of the said surrender, claim in any township or district within the fertile belt in which land is set out for settlements, grants of land not exceeding one-twentieth part of the land so set out; the blocks so granted to be determined by lot, and the Company to pay a rateable share of the survey expenses not exceeding 8 cents Canadian an acre. The Company may defer the exercise of their right of claiming their proportion of each township or district for not more than ten years after it is set out, but their claim must be limited to an allotment from the lands remaining unsold at the time they declare their intention to make it.

6. For the purpose of the last article the fertile belt is to be bounded as follows:—On the south by the United States boundary; on the west by the Rocky Mountains; on the north by the Northern Branch of the Saskatchewan River; on the east by Lake Winnipeg, the Lake of the Woods and the waters connecting them.

7. If any township shall be formed abutting on the north bank of the northern branch of the Saskatchewan River, the Company may take their one-twentieth of any such township, which, for the purpose of this article, shall not extend more than five miles inland from the river, giving to the Canadian Dominion an equal quantity of the portion of land coming to them of townships established on the southern bank of the said river.

8. In laying out any public roads, canals or other public works, through any block of land reserved to the Company, the Canadian Government may take without compensation such land as is necessary for the purpose, not exceeding one-twenty-fifth of the total acreage of the block; but if the Canadian Government require any land which is actually under cultivation, which has been built upon, or which is necessary for

giving the Company's servants access to any river or lake, or as a frontage to any river or lake, the said Government shall pay to the Company the fair value of the same, and shall make compensation for any injury done to the Company or their servants.

9. It is understood that the whole of the land to be appropriated within the meaning of the last preceding clause, shall be appropriated for public purposes.

10. All titles to land up to the eighth day of March, one thousand eight hundred and sixty-nine, conferred by the Company, are to be confirmed.

11. The Company is to be at liberty to carry on its trade without hindrance in its corporate capacity; and no exceptional tax is to be placed on the Company's land, trade or servants, nor any import duty on goods introduced by the said Company previously to such acceptance of the said surrender.

12. Canada is to take over the materials of the electric telegraph at cost price; such price including transport, but not including interest for money, and subject to a deduction for ascertained deterioration.

13. The Company's claim to land under an agreement of Messrs. Vankoughnet and Hopkins is to be withdrawn.

14. Any claims of Indians to compensation for lands required for purposes of settlement shall be disposed of by the Canadian Government in communication with the Imperial Government; and the Company shall be relieved of all responsibility in respect of them.

And whereas the surrender hereinafter contained is intended to be made in pursuance of the agreement, and upon the terms and conditions hereinbefore stated.

Now know ye, and these presents witness, that, in pursuance of the powers and provisions of the "*Rupert's Land Act*, 1868," and on the terms and conditions aforesaid, and also on condition of this surrender being accepted pursuant to the provisions of that Act, the said Governor and Company do hereby surrender to the Queen's Most Gracious Majesty, all the rights of Government, and other rights, privileges, liberties, franchises, powers and authorities, granted or purported to be granted to the said Governor and Company by the said recited Letters Patent of His late Majesty King Charles the Second;

and also all similar rights which may have been exercised or assumed by the said Governor and Company in any parts of British North America, not forming part of Rupert's Land or of Canada, or of British Columbia, and all the lands and territories within Rupert's Land (except and subject as in the said terms and conditions mentioned) granted or purported to be granted to the said Governor and Company by the said Letters Patent. In witness whereof, the Governor and Company of Adventurers of England trading into Hudson's Bay, have hereunto caused their Common Seal to be affixed, the nineteenth day of November, One thousand eight hundred and sixty-nine.

THE SCHEDULE ABOVE REFERRED TO.

Northern Department, Rupert's Land.

District.	Post.	Acres of Land.	
English River.....	Isle à la Crosse.....	50	
	Rapid River.....	5	
	Portage La Loche ..	20	say 10 acres each end of portage.
	Green Lake.....	100	
	Cold Lake.....	10	
	Deer's Lake	5	
			190 acres in English River (Dist.)
Saskatchewan.....	Edmonton House...	3,000	
	Rocky Mountain House.....	500	
	Fort Victoria.....	3,000	
	St. Paul	3,000	
	Fort Pitt	3,000	
	Battle River.....	3,000	
	Carlton House.....	3,000	
	Fort Albert.....	3,000	
	Whitefish Lake.....	500	
	Lac La Biche.....	1,000	
	Fort Assiniboine....	50	
	Lesser Slave Lake ..	500	
	Lac St. Anne.....	500	
	Lac La Nun.....	500	
	St. Albert.....	1,000	
	Pigeon Lake..	100	
	Old White Mud Fort	50	
			25,700 acres in Saskatchewan District.
Cumberland.....	Cumberland House..	100	
	Fort La Cocue.....	3,000	
	Pelican Lake.....	50	
	Moose Woods,.....	1,000	
	The Pas	25	
	Moose Lake.....	50	
	Grand Rapid Portage	100	50 acres at each end of portage.
			4,325 acres in Cumberland District.

Northern Department, RUPERT'S LAND.—*Continued.*

District.	Post.	Acres of Land.
Swan River	Fort Pelly	3,000
	Fort Ellice	3,000
	Qu'Appelle Lakes	2,500
	Touchwood Hills	500
	Shoal River	50
	Manitobah	50
	Fairford	100
		9,200 acres in Swan River District.
Red River	Upper Fort Garry and Town of Winnipeg.	
	Lower Fort Garry (including the farm the Company now have under cultivation)	Such number of acres as may be agreed upon between the Company and the Governor of Canada in Council.
	White Horse Plain	
Manitobah Lake	Oak Point	50
Portage La Prairie		1,000
		1,050
Lake La Pluie	Fort Alexander	500
	Fort Frances	500
	Eagle's Nest	20
	Big Island	20
	Lac du Bonnet	20
	Rat Portage	50
	Shoal Lake	20
	Lake of the Woods	50
	Whitefish Lake	20
	English River	20
	Hungry Hall	20
	Trout Lake	20
	Clear Water Lake	20
	Sandy Point	20
		1,300 acres in Lac La Pluie District
York	York Factory	100
	Churchill	10
	Severn	10
	Trout Lake	10
	Oxford	100
	Jackson's Bay	10
	God's Lake	10
	Island Lake	10
		260
Norway House	Norway House	100
	Beren's River	25
	Grand Rapid	10
	Nelson's River	10
		145
Total in Northern Department		42,170 acres.

Southern Department, RUPERT'S LAND.

District.	Post.	Acres of Land.	
Albany	Albany Factory	100	
	Martin's Falls	10	
	Osnaburg	25	
	Lac Seul	500	
			635
ast Main	Little Whale River	50	
	Great Whale River	50	
	Fort George	25	
			125
Moose	Moose Factory	100	
	Hannah Bay	10	
	Abitibi	10	
	New Brunswick	25	
			145
Rupert's River	Rupert's House	50	
	Mistassing	10	
	Temiskamay	10	
	Woswonaby	10	
	Mechiskun	10	
	Pike Lake	10	
	Nitchequou	10	
	Kamapiscan	10	
			120
Kinogumisse	Matawagamique	50	
	Kuckatoosh	10	
			60
Total in Southern Department			1,085 acres.

Montreal Department, RUPERT'S LAND.

Superior	Long Lake	10	
Temiscaminque	Kakababeagino	10	
			20
Labrador	Fort Nascopie	75	
	Outposts, ditto	25	
	Fort Chimo (Ungava)	100	
	South River, outposts	30	
	George's River	50	
	Whale River	50	
	North's River	25	
	False River	25	
			380
Total in Montreal Department			400

Northern Department, NORTH WEST TERRITORY.

Athabasca	Fort Chippewyan	10	
	Fort Vermilion	500	
	Fort Dunvegan	50	
	Fort St. John's	20	
	Forks of Athabasca River	10	
	Battle River	5	
	Fond du Lac	5	
	Salt River	5	
			605 acres in Athabasca District.

Northern Department, NORTH WEST TERRITORY—*Continued.*

District.	Post.	Acres of Land.	
McKenzie's River...	Fort Simpson.....	100	
	Fort Liard.....	300	
	Fort Nelson	200	
	The Rapids.....	100	
	Hay River.....	20	
	Fort Resolution....	20	
	Fort Rae.	10	
	Fond du Lac.	10	
	Fort Norman.....	10	
	Fort Good Hope...	10	
	Peel's River	10	
	Lapierre's House....	10	
	Fort Halkett.	100	
			900 acres in McKenzie's R. District.
Total in North West Territory.....		1,505 acres.	

RECAPITULATION.

	Acres.
Northern Department, Rupert's Land.....	42,170
Southern " "	1,085
Montreal " "	400
Northern Department, Northwest Territory.....	1,505
	45,160

THE MANITOBA ACT, 1870.

33 VICTORIA, CHAPTER 3 (CANADA.)

An Act to amend and continue the Act 32 and 33 Victoria, chapter 3; and to establish and provide for the Government of the Province of Manitoba.

[*Assented to 12th May, 1870.*]

Preamble. Whereas it is probable that Her Majesty The Queen may, pursuant to the British North America Act, 1867, be pleased to admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Parliament of Canada:

And Whereas it is expedient to prepare for the transfer of the said Territories to the Government of Canada at the time appointd by the Queen for such admission:

And Whereas it is expedient also to provide for the organization of part of the said Territories as a Province, and for the establishment of a Government therefor, and to make provision for the Civil Government of the remaining part of the said Territories, not included within the limits of the Province:

Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Province to be formed out of N. W. Territory when united to Canada. **1.** On, from and after the day upon which the Queen, by and with the advice and consent of Her Majesty's Most Honourable Privy Council, under the authority of the 146th Section of the British North America Act, 1867, shall, by Order in Council in that behalf, admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, there shall be formed out of the same a Province, which shall be one of the Provinces of the Dominion of Canada, and which shall be called the Province of Manitoba, and be bounded as follows: that is to say, commencing at the point where the meridian of ninety-six degrees west longitude from Greenwich intersects the parallel of forty-nine degrees north latitude,—thence due west along the said parallel of forty-nine degrees north latitude (which forms a portion of the bound ary line between the United States of America and the said

Its name and boundaries.

North-Western Territory) to the meridian of ninety-nine degrees of west longitude,—thence due north along the said meridian of ninety-nine degrees west longitude, to the intersection of the same with the parallel of fifty degrees and thirty minutes north latitude,—thence due east along the said parallel of fifty degrees and thirty minutes north latitude to its intersection with the before-mentioned meridian of ninety-six degrees west longitude,—thence due south along the said meridian of ninety-six degrees west longitude to the place of beginning

(Boundaries extended; 44 Victoria, chapter 14.)

Certain provisions of B. N. A. Act, 1867, to apply to Manitoba.

2. On, from and after the said day on which the Order of the Queen in Council shall take effect as aforesaid, the provisions of the British North America Act, 1867, shall, except those parts thereof which are in terms made, or, by reasonable intendment, may be held to be specially applicable to, or only to affect one or more, but not the whole of the Provinces now composing the Dominion, and except so far as the same may be varied by this Act, be applicable to the Province of Manitoba, in the same way, and to the like extent as they apply to the several Provinces of Canada, and as if the Province of Manitoba had been one of the Provinces originally united by the said Act.

Representation in the Senate.

3. The said Province shall be represented in the Senate of Canada by two Members until it shall have, according to decennial census, a population of fifty thousand souls, and from thenceforth it shall be represented therein by three Members, until it shall have, according to decennial census, a population of seventy-five thousand souls, and from thenceforth it shall be represented therein by four Members.

Representation in the House of Commons.

4. The said Province shall be represented, in the first instance, in the House of Commons of Canada, by four Members, and for that purpose shall be divided by proclamation of the Governor General, into four Electoral Districts, each of which shall be represented by one Member: Provided that on the completion of the census in the year 1881, and of each decennial census afterwards, the representation of the said Province shall be re-adjusted according to the provisions of the fifty-first section of the British North America Act, 1867.

Qualification of voters and members.

5. Until the Parliament of Canada otherwise provides, the qualification of voters at Elections of Members of the House of Commons shall be same as

for the Legislative Assembly hereinafter mentioned: And no person shall be qualified to be elected, or to sit and vote as a Member for any Electoral District, unless he is a duly qualified voter within the said Province.

Lieutenant Governor.

6. For the said Province there shall be an officer styled the Lieutenant-Governor, appointed by the Governor General in Council, by instrument under the Great Seal of Canada.

Executive Council.

7. The Executive Council of the Province shall be composed of such persons, and under such designations, as the Lieutenant-Governor shall, from time to time, think fit; and, in the first instance, of not more than five persons.

Seat of Government.

8. Unless and until the Executive Government of the Province otherwise directs, the seat of Government of the same shall be at Fort Garry, or within one mile thereof.

Legislature.

9. There shall be a Legislature for the Province, consisting of the Lieutenant-Governor, and of two Houses styled respectively, the Legislative Council of Manitoba, and the Legislative Assembly of Manitoba.

Legislative Council.

10. The Legislative Council shall, in the first instance, be composed of seven Members, and after the expiration of four years from the time of the first appointment of such seven Members, may be increased to not more than twelve Members. Every Member of the Legislative Council shall be appointed by the Lieutenant-Governor in the Queen's name, by Instrument under the Great Seal of Manitoba, and shall hold office for the term of his life, unless and until the Legislature of Manitoba otherwise provides under the British North America Act, 1867.

Members and their appointment, &c.

Speaker.

11. The Lieutenant-Governor may, from time to time, by Instrument under the Great Seal, appoint a Member of the Legislative Council to be Speaker thereof, and may remove him and appoint another in his stead.

Quorum.

12. Until the Legislature of the Province otherwise provides, the presence of a majority of the whole number of the Legislative Council, including the Speaker, shall be necessary to constitute a meeting for the exercise of its powers.

Voting.

13. Questions arising in the Legislative Council shall be decided by a majority of voices, and the Speaker shall, in all cases, have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

Equality of votes.

Legislative Assembly.

14. The Legislative Assembly shall be composed of twenty-four Members, to be elected to represent the Electoral Divisions into which the said Province may be divided by the Lieutenant-Governor, as hereinafter mentioned.

Quorum.

15. The presence of a majority of the Members of the Legislative Assembly shall be necessary to constitute a meeting of the House for the exercise of its powers; and for that purpose the Speaker shall be reckoned as a Member.

Electoral Divisions.

16. The Lieutenant-Governor shall (within six months of the date of the Order of Her Majesty in Council, admitting Rupert's Land and the North-Western Territory into the Union), by Proclamation under the Great Seal, divide the said Province into twenty-four Electoral Divisions, due regard being had to existing Local Divisions and population.

Qualification of voters.

17. Every male person shall be entitled to vote for a Member to serve in the Legislative Assembly for any Electoral Division, who is qualified as follows, that is to say, if he is:—

2. A subject of Her Majesty by birth or naturalization:

3. And a *bonâ fide* householder within the Electoral Division, at the date of the Writ of Election for the same, and has been a *bonâ fide* householder for one year next before the said date; or,

Special—for first election only.

4. If, being of the full age of twenty-one years, and not subject to any legal incapacity, and a subject of Her Majesty by birth or naturalization, he was at any time within twelve months prior to the passing of this Act, and (though in the interim temporarily absent) is at the time of such election a *bonâ fide* householder, and was resident within the Electoral Division at the date of the Writ of Election for the same:

But this fourth sub-section shall apply only to the first election to be held under this Act for Members to serve in the Legislative Assembly aforesaid.

Proviso. Proceedings at first election, &c., how regulated.

18. For the first election of Members to serve in the Legislative Assembly, and until the Legislature of the Province otherwise provides, the Lieutenant-Governor shall cause writs to be issued, by such person, in such form, and addressed to such Returning Officers as he thinks fit; and for such first election, and until the Legislature of the Province otherwise provides the Lieutenant-Governor shall, by Proclamation, prescribe and declare the oaths to be taken by voters, the powers and

duties of Returning and Deputy Returning Officers, the proceedings to be observed at such election, and the period during which such election may be continued, and such other provisions in respect to such first election as he may think fit.

Duration of Legislative Assembly.

19. Every Legislative Assembly shall continue for four years from the date of the return of the writs for the returning the same (subject nevertheless to being sooner dissolved by the Lieutenant-Governor), and no longer; and the first Session thereof shall be called at such time as the Lieutenant-Governor shall appoint

Sessions at least once year.

20. There shall be a Session of the Legislature once at least in every year, so that twelve months shall not intervene between the last sitting of the Legislature in one Session and its first sitting in the next Session.

Certain provisions of B. N. A. Act, 1867, to apply.

21. The following provisions of the British North America Act, 1867, respecting the House of Commons of Canada, shall extend and apply to the Legislative Assembly, that is to say:—Provisions relating to the election of a Speaker, originally, and on vacanies,—the duties of the Speaker,—the absence of the Speaker and the mode of voting, as if those provisions were here re-enacted and made applicable in terms to the Legislative Assembly.

Legislation touching schools subject to certain provisions.

22. In and for the Province, the said Legislature may exclusively make Laws in relation to Education, subject and according to the following provisions:—

(1). Nothing in any such Law shall prejudicially affect any right or privilege with respect to Denominational Schools which any class of persons have by Law or Practice in the Province at the Union:—

(2.) An appeal shall lie to the Governor General in Council from any Act or decision of the Legislature of the Province, or of any Provincial Authority, affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to Education:

Power reserved to Parliament.

(3.) In case any such Provincial Law, as from time to time seems to the Governor General in Council requisite for the due execution of the provisions of this section, is not made, or in case any decision of the Governor General in Council on any appeal under this section is not duly executed by the proper Provisional Authority in that behalf, then, and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial Laws for the due execution of the provisions of this section, and of any decision of the Governor General in Council under this section.

English and French language to be used.

23. Either the English or the French language may be used by any person in the debates of the Houses of the Legislature, and both these languages shall be used in the respective Records and Journals of those Houses; and either of those languages may be used by any person, or in any Pleading or Process, in or issuing from any Court of Canada established under the British North America Act, 1867, or in or from all or any of the Courts of the Province. The Acts of the Legislature shall be printed and published in both those languages.

Interest allowed to the Province on a certain amount of the debt of Canada.

24. Inasmuch as the Province is not in debt, the said Province shall be entitled to be paid, and to receive from the Government of Canada, by half-yearly payments in advance, interest at the rate of five per centum per annum on the sum of four hundred and seventy-two thousand and ninety dollars.

Subsidy to the Province for support of Government, and in proportion to its population.

25. The sum of thirty thousand dollars shall be paid yearly by Canada to the Province, for the support of its Government and Legislature, and an annual grant, in aid of the said Province, shall be made, equal to eighty cents per head of the population, estimated at seventeen thousand souls; and such grant of eighty cents per head shall be augmented in proportion to the increase of population, as may be shown by the census that shall be taken thereof in the year one thousand eight hundred and eighty-one, and by each subsequent decennial census, until its population amounts to four hundred thousand souls, at which amount such grant shall remain thereafter, and such sum shall be in full settlement of all future demands on Canada, and shall be paid half-yearly, in advance, to the said Province.

Canada assumes certain expenses.

26. Canada will assume and defray the charges for the following services:—

1. Salary of the Lieutentant-Governor.
2. Salaries and allowances of the Judges of the Superior and District or County Courts.
3. Charges in respect of the Department of the Customs.
4. Postal Department.
5. Protection of Fisheries.
6. Militia.
7. Geological Survey.
8. The Penitentiary.
9. And such further charges as may be incident to, and connected with the services which, by the British North Amer-

ica Act, 1867, appertain to the General Government, and as are or may be allowed to the other Provinces. Customs duties.

27. The Customs duties now by Law chargeable in Rupert's Land, shall be continued without increase for the period of three years from and after the passing of this Act, and the proceeds of such duties shall form part of the Consolidated Revenue Fund of Canada. General provisions.

28. Such provisions of the Customs Laws of Canada (other than such as prescribed the rate of duties payable) as may be from time to time declared by the Governor General in Council to apply to the Province of Manitoba, shall be applicable thereto, and in force therein accordingly. Customs laws.

29. Such provisions of the Laws of Canada respecting the Inland Revenue, including those fixing the amount of duties, as may be from time to time declared by the Governor General in Council applicable to the said Province, shall apply thereto, and be in force therein accordingly. Inland Revenue laws and duties.

30. All ungranted or waste lands in the Province shall be, from and after the date of the said transfer, vested in the Crown, and administered by the Government of Canada for the purposes of the Dominion, subject to, and except and so far as the same may be affected by, the conditions and stipulations contained in the agreement for the surrender of Rupert's Land by the Hudson's Bay Company to Her Majesty. Ungranted lands vested in the Crown or Dominion purposes.

31. And whereas, it is expedient, towards the extinguishment of the Indian Title to the lands in the Province, to appropriate a portion of such ungranted lands, to the extent of one million four hundred thousand acres thereof, for the benefit of the families of the half-breed residents, it is hereby enacted, that, under regulations to be from time to time made by the Governor General in Council, the Lieutenant-Governor shall select such lots or tracts in such parts of the Province as he may deem expedient, to the extent aforesaid, and divide the same among the children of the half-breed heads of families residing in the Province at the time of the said transfer to Canada, and the same shall be granted to the said children respectively, in such mode and on such conditions as to settlement and otherwise, as the Governor General in Council may from time to time determine. Provisions as to Indian title. Grant for half-breeds.

32. For the quieting of titles, and assuring to the settlers in the Province the peaceful possession of the lands now held by them, it is enacted as follows:— Quieting titles.

Grants to H. B. Company.

1. All grants of land in freehold made by the Hudson's Bay Company up to the eighth day of March, in the year 1869, shall, if required by the owner, be confirmed by grant from the Crown.

The same.

2. All grants of estates less than freehold in land made by the Hudson's Bay Company up to the eighth day of March aforesaid, shall, if required by the owner, be converted into an estate in freehold by grant from the Crown.

Titles by occupancy with permission.

3. All titles by occupancy with the sanction and under the license and authority of the Hudson's Bay Company up to the eighth day of March aforesaid, of land in that part of the Province in which the Indian Title has been extinguished, shall if required by the owner, be converted into an estate in freehold by grant from the Crown.

By peaceable possession.

4. All persons in peaceable possession of tracts of land at the time of the transfer to Canada, in those parts of the Province in which the Indian Title has not been extinguished, shall have the right of pre-emption of the same, on such terms and conditions as may be determined by the Governor in Council.

Lieutenant Governor to make provisions under Order in Council.

5. The Lieutenant-Governor is hereby authorized, under regulations to be made from time to time by the Governor General in Council, to make all such provisions for ascertaining and adjusting, on fair and equitable terms, the rights of Common, and rights of cutting Hay held and enjoyed by the settlers in the Province, and for the commutation of the same by grants of land from the Crown.

Governor in Council to appoint form &c., of grants.

33. The Governor General in Council shall from time to time settle and appoint the mode and form of Grants of Land from the Crown, and any Order in Council for that purpose when published in the *Canada Gazette,* shall have the same force and effect as if it were a portion of this Act.

Rights of H. B. Company not affected.

34. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company, as contained in the conditions under which that Company surrendered Rupert's Land to Her Majesty.

Lieutenant Governor to govern N.W. Territory for Canada.

35. And with respect to such portion of Rupert's Land and the North-Western Territory, as is not included in the Province of Manitoba, it is hereby enacted, that the Lieutenant-Governor of the said Province shall be appointed, by Commission under the Great Seal of Canada, to be the Lieutenant-Governor of the same, under the name of the North-West Territories, and subject to the provisions of the Act in the next section mentioned.

36. Except as hereinbefore is enacted and provided, the Act of Parliament of Canada, passed in the now last Session thereof, and entitled, "An Act for the Temporary Government of Rupert's Land, and the North-Western Territory when united with Canada," is hereby re-enacted, extended and continued in force until the first day of January, 1871, and until the end of the Session of Parliament then next succeeding. Act 32 and 33 V., c. 3, extended and continued.

27. Telegrams from Sir John Young to Earl Granville, May 12, 1870.[1]

Ottawa, 12th May, 1870.

Bill for Government of North-West passed, sanctioning conditions agreed upon with Delegates. Parliament prorogued today.

15th May, 1870.

Mr. Archibald of Nova Scotia is to be Lieutenant-Governor of the North West.

E. The North West Territories.

An Act for the temporary Government of Rupert's Land and the North-Western Territory when united with Canada.

[*Assented to 22nd June, 1869.*]

Whereas it is probable that Her Majesty the Queen may, pursuant to "The British North America Act, 1867," be pleased to admit Rupert's Land and the North-Western Territory into the Union or Dominion of Canada, before the next Session of the Canadian Parliament: And whereas it is expedient to prepare for the transfer of the said Territories from the Local Authorities to the Government of Canada, at the time appointed by the Queen for such admission, and to make some temporary provision for the Civil Government of such Territories until more permanent arrangements can be made by the Government and Legislature of Canada; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows: Preamble.

1. The said Territories when admitted as aforesaid, shall be styled and known as "The North-West Territories." Name of territories.

2. It shall be lawful for the Governor, by any Order or Orders, to be by him from time to time made, with the advice of the Privy Council, (and subject to such conditions and restriction as to him Appointment and functions of Lieutenant-Governor.

[1]Dominion Archives, P. F. 105, No. 10, p. 161.

shall seem meet) to authorize and empower such Officer as he may from time to time appoint as Lieutenant-Governor of the North-West Territories, to make provision for the administration of Justice therein, and generally to make, ordain, and establish all such Laws, Institutions and Ordinances as may be necessary for the Peace, Order and good Government of Her Majesty's subjects and others therein; provided that all such Orders in Council, and all Laws and Ordinances, so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

Power to him to make laws.

Proviso.

Instructions to Lieutenant Governor.

3. The Lieutenant-Governor shall administer the Government under instructions from time to time given him by Order in Council.

Appointment of Council to Lieutenant Governor.

4. The Governor may, with the advice of the Privy Council, constitute and appoint, by Warrant under his Sign Manual, a Council of not exceeding fifteen nor less than seven persons, to aid the Lieutenant-Governor in the administration of affairs, with such powers as may be from time to time conferred upon them by Order in Council.

Existing laws to remain in force.

5. All the Laws in force in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, shall so far as they are consistent with "The British North America Act, 1867,"—with the terms and conditions of such admission approved of by the Queen under the 146th section thereof,—and with this Act,—remain in force until altered by the Parliament of Canada, or by the Lieutenant-Governor under the authority of this Act.

Public officers, &c., to retain office.

6. All Public Officers and Functionaries holding office in Rupert's Land and the North-Western Territory, at the time of their admission into the Union, excepting the Public Officer or Functionary at the head of the administration of affairs, shall continue to be Public Officers and Functionaries of the North-West Territories with the same duties and powers as before, until otherwise ordered by the Lieutenant-Governor, under the authority of this Act

Duration of this Act.

7. This Act shall continue in force until the end of the next Session of Parliament

Instructions issued to Lieutenant Governor Archibald, Aug. 4, 1870.[1]

(No. 369.)

Office of Secretary of State for the Provinces,

OTTAWA, 4th August, 1870.

Sir.—In reference to my letter of 30th July last, transmitting to you a Commission from the Governor General, appointing you Lieutenant-Governor of the North West Territories, I have the honor, by command of His Excellency, to forward to you the following instructions for your guidance in the Government of the Territories.

1. You will, with as little delay as possible, open communication with the Indian Bands occupying the country lying between Lake Superior and the Province of Manitoba, with a view to the establishment of such friendly relations as may make the route from Thunder Bay to Fort Garry secure at all seasons of the year, and facilitate the settlement of such portion of the country as it may be practicable to improve.

2. You will also turn your attention promptly to the condition of the country outside the Province of Manitoba, on the North and West; and while assuring the Indians of your desire to establish friendly relations with them, you will ascertain and report to His Excellency the course you may think most advisable to pursue, whether by treaty or otherwise, for the removal of any obstructions that may be presented to the flow of population into the fertile lands that lie between Manitoba and the Rocky Mountains.

3. You will have the goodness to report with all convenient speed, for the information of His Excellency, on the state of the Laws now existing in the Territories, transmitting copies of any Laws, Ordinances or Regulations of the Hudson's Bay Company now in force there, together with a full report as to the mode of administering justice, the organization of the Courts, the number and mode of appointment of Justices of the Peace, the Police arrangements and the means adopted for keeping the peace, &c., &c.

4. You will have the goodness to report also, on the system of Taxation (if any) now in force in the Territories, the system of licensing shops, taverns, &c., the mode of regulating or prohibiting the Sale of Wine, Spirituous and Malt Liquors, and further as to the mode of keeping up the Roads, and generally on the Municipal Organization (if any) existing in the Territories.

[1] Sessional Papers, 34 Victoria (No. 20, p. 8).

5. You will also make a full report upon the state of the Indian Tribes now in the Territories; their numbers, wants and claims, the system heretofore pursued by the Hudson's Bay Company in dealing with them, accompanied by any suggestions you may desire to offer with reference to their protection, and to the improvement of their condition.

6. You will have the goodness to report also, on the nature and amount of currency or circulating medium now employed in the Territories, and of the probable requirements of the Territories in that respect in the future.

7. You will also please to report as to such lands in the Territories as it may be desirable to open up at once for settlement transmitting such sketch or plan as may be necessary, with an estimate of the probable cost of survey, a statement of the conditions as to settlement or otherwise, suggested for grants of land, such sketch or plan to show the number of Townships it is proposed to lay out at once, their size and situation, and the size of the lots, making the necessary reservations for churches, schools, roads and other public purposes.

8. You will also report as to the number of Officers now employed by the Hudson's Bay Company, in the administration of Government in the Territories, stating the duty and salaries of such Officers, and specifying those who should, in your opinion be retained; you will also report as to the number of persons whom it will be necessary hereafter to employ in the administration of the Government, and you will report generally on all subjects connected with the welfare of the Territories upon which it may seem to you desirable to communicate with the Government of the Dominion.

These instructions may be altered or amended from time to time.

I have, etc.,

(Signed) E. A. MEREDITH,
Under-Secretary of State for the Provinces.

To His Honor the Honorable Adams G. Archibald,
Lieutenant Governor of the North West Territories.

2. Letter from Lieutenant Governor Archibald to the Secretary of State for the Provinces, Oct. 22, 1870.[1]

No. 27. Rupert's Land and the North West Territory,
Fort Garry, 22nd Octr. 1870.

Sir,—

I beg to acquaint you that on the 21st Inst. I appointed the Honble. Francis Goodshall Johnson and Donald A. Smith

[1] Papers of Secretary of State for the Provinces, Ottawa, 492, 1870.

& Paschal Brelan (*d*) Esquires to be members of the Executive & Legislative Councils for Rupert's Land and the North Western Territory. These Gentlemen have been this day sworn into office and entered upon their Legislative and Executive duties.

Of Judge Johnson & Mr. Smith who are both well known to the Government of Canada I need say nothing.

Mr.. Paschal Brelan is a French Half-breed about sixty years of age and who has long enjoyed a high reputation in this Province for integrity and intelligence. I find him spoken of in the highest terms by men of all sides, French & English.

He took no part in the troubles of last winter. At the time, I believe, he was absent at the Plains. He will be able to contribute valuable information on subjects connected with the West, having spent many years of his life on the Plains as a hunter. I assume that it will be necessary presently to add to the number of the Councillors but for the moment a limited Body is sufficient, and my present Council gives a fair representation of the three great interests of the West, the English, the French & the Hudson's Bay interest.

I have the honor to be,
Sir,
Your obedt. servant,

The Honble (Signed) Adams G. Archibald.
The Secretary of State
for the Provinces
Ottawa.

3. Letter from Lieutenant Governor Archibald to the Secretary of State for the Provinces, Oct. 22, 1870.[1]

(No. 26) Fort Garry, October 22nd, 1870.

Sir,—

I beg to acquaint you that I have found it necessary to take some steps with a view to arrest the spread of small pox in the region of the Saskatchewan, and to prevent its introduction into the Province of Manitoba.

I send you herewith an extract from a letter of the Reverend Père Lacombe, to the Right Reverend the Bishop of St. Boniface, which has just arrived from the Saskatchewan, and which gives a frightful picture of the disease and of its loathsome

[1] Papers of Secretary of State for the Provinces, Ottawa, 492, 1870. also Sessional Papers 34 Victoria. (No. 20) p. 69.

nature, and of the extent to which it prevails. There seems to be much danger of the introduction of the disease into Manitoba and there is great difficulty, by a mere Order in Council, to adopt measures sufficiently stringent.

We could hardly give the force of law to any regulations we might adopt, and such regulations, even if valid, could extend to the Province only.

Under these circumstances, I have thought it best to use the Legislative Authority of the Governor and Council of Rupert's Land and the North West Territories, to enact such provisions on the subject as the circumstances would seem to justify. I shall endeavor, herewith, to enclose you a Copy of the Ordinances that have been framed, but possibly I may not be able to do so before the mail closes, in which case I shall enclose them to you by the next mail.

I have the honor to be, Sir,

Your obedient servant,

(Signed) ADAMS G. ARCHIBALD.

The Honorable,
The Secretary of State for the Provinces.

4. Ordinance passed by the Lieutenant Governor and Council of Rupert's Land and the North-Western Territories for the prevention of smallpox, Oct. 22, 1870.[1]

Whereas, Smallpox of a very malignant type is now extensively prevailing in the Valley of the Saskatchewan, and southwardly thereof to the boundary line of the United States of America; and whereas, with a view to arrest the progress of the disease eastwardly, it is necessary to adopt stringent measures to prevent all persons and property who, or which may, carry infection, from being brought or sent to the East, and to make certain regulations in respect of such persons and property:

Be it therefore enacted by the Lieuetnant Governor and Council of Rupert's Land and the North-Western Territories, as follows:—

1st. The following articles shall be considered as capable of carrying infection—that is to say: Furs, Buffalo Robes and Hides, Tents, Skins, Clothing, Blankets, and Peltries of all descriptions.

[1] Sessional Papers, 34 Victoria (No. 20, p. 71).

2nd. No goods of the description hereinbefore enumerated, shall be permitted to pass eastwards of the south branch of the Saskatchewan River.

3rd. All such goods and property, as well as the persons accompanying the same, coming from the westward of the said line, and passing to the eastward thereof, shall be liable to seizure as hereinafter is provided.

4th. All such enumerated goods found eastward of the said line, and between it and the line of the Province of Manitoba shall *prima facie* be held and treated as having come from the westward of the said line, and be liable to seizure, and the burden of proving the contrary shall be upon the owners.

5th. All such enumerated goods which shall be found to the eastward of the said line, and shall have come from the westward thereof, shall be liable to seizure; but the same may be stored in suitable places to be provided for that purpose, and kept in store until the same shall have been disinfected, and so certified to be, by proper officers appointed by the Board of Health, and such goods, where so disinfected and certified, may be allowed to pass eastward, on the written permit of such officers.

6th. No person coming from the westward of the said line shall be allowed to pass eastward until the expiration of ten days from the time of his passing such line and until he shall have received from such Health Officer a certificate of health.

7th. Any person who shall send, carry, or cause to be sent or carried any such enumerated goods, or who shall pass or travel eastwardly of the said line, without such permit, in violation of the provisions of this Act, shall be guilty of a misdemeanor, and shall incur a penalty not exceeding One hundred pounds, which may be recovered by complaint before any Justice of the Peace, upon the oath of one credible witness.

8th. It shall be lawful for any Justice of the Peace, Peace Officer, Constable, or other person authorized by the Board of Health, at any place within Rupert's Land or the North Western Territories, with or without warrant, to seize, arrest and detain any persons or goods hereinbefore enumerated, being or proceeding in any direction within such territories in violation of the provisions hereinbefore contained: provided always that any person claiming to be

proprietor of any goods so seized or detained, may at any time after such seizure, give notice in writing to the person seizing the same, of the intention of such claimant to apply by written petition to the Lieutenant Governor of the said Territories to have such property restored, and upon any such application for restoration of property so seized or detained, the Lieutenant Governor shall make such order provisional or final as to him shall seem fit.

9th. It shall be lawful for the Lieutenant Governor to appoint a Board of Health, and also such Health Officers, and other Officers, as shall in his judgment be required or expedient for giving effect to the provisions of this Act, and any Officers so appointed shall have all the powers and authority of a Justice of the Peace throughout the extent of Rupert's Land and the North-Western Territories.

10th. It shall be lawful for the Lieutenant Governor, in any case in which he shall be satisfied that no danger will result therefrom, to relax the provisions of this Act, and to make such order respecting any particular parcel of goods as the public safety may seem to him to require or allow.

11th. One half of any fine imposed under this Act shall be payable to the person giving information, and lodging his complaint, and the other half shall be paid into the Treasury, and be appropriated to defray the expenses of carrying out this Act.

12th. This Act shall be and remain in force for six months now next ensuing and for any further length of time the Lieutenant-Governor may by his proclamation appoint.

5. Letter from the Secretary of State for the Provinces to Lieutenant Governor Archibald, Nov. 17, 1870.

Office of the Secretary of State for the Provinces,
OTTAWA, 17th Nov. 1870.

(No. 573.)

SIR,—

I have the honor to acknowledge the receipt of your Despatch of the 22nd Ulto., stating that you have appointed

Messrs. Johnson, Smith & Brelan to be Members of the Executive and Legislative Councils for Rupert's Land & the North West Territories.

I have no doubt that in making these appointments you have acted after full consideration of the question as to your authority to make them. In the absence, however, of information on this point, the Government here are in the dark as to the authority under which you have acted, & would desire explanations from you in order that in case any irregularity may have occurred, it may be remedied by confirmatory action here.

The appointment cannot have been made under the Act 32 & 33 Vict. Ch. 3, as by the 4th clause it is provided that "the Governor General may, with the advice of the Privy Council, appoint a Council of not exceeding fifteen nor less than seven persons to aid the Lieut. Governor in the Administration of Affairs."

This Council is to be a mere consultative Body, with such additional powers, as may be from time to time conferred upon it by order of the Privy Council of Canada.

I presume therefore that the appointment of the three Gentlemen you have named has been made in pursuance of the 5th & 6th clauses of the Act. If so, you will be kind enough to report for the information of His Excellency the nature & extent of the Law or other authority under which the appointments have been made.

The only Council that we are informed of is the Council of Assiniboia whose powers do not, it is supposed here, extend beyond the limits of Manitoba.

His Excellency has no doubt that the selection of these three Gentlemen has been made with proper care and after full consideration, and you are to understand that further information is now sought from you for the purpose of confirming these appointments should there be any question as to your power to make them.

It is considered advisable by His Excellency, the Governor General, that a Council under the Act above cited should be established and you will be good enough to transmit to me a List of names of Gentlemen eligible for the position. The minimum is fixed at Seven, and you will therefore report to me a number of names, giving in detail their qualifications

from position, education, race or otherwise so that from the List, His Excellency may be able to select a Council of Seven.

I have the honour to be,

Sir,

Your obedt. Servant,

The Honble
A. G. Archibald,
Lieut. Governor
Fort Garry,
Manitoba.

JOSEPH HOWE,
Secretary of State.

3. Letter from the Secretary of State for the Provinces to Lieutenant Governor Archibald, No. 19, 1870.[1]

(No. 576.) Office of the Secretary of State for the Provinces,
Ottawa, 19th November, 1870.

Sir,—

I have the honor to acknowledge the receipt of your Despatch, No. 26, dated 22nd ultimo, enclosing copy of an Act or Ordinance passed by the Lieutenant Governor and Council of Rupert's Land and the North-Western Territories, for the prevention of small pox.

The Ordinance seems well adapted for the purpose for which it was enacted, and the only question is as to the authority to pass it. On this subject I would refer to the observations in my Despatch to you of the 17th instant on the appointment of Messrs. Johnson, Smith and Brelan(d) as His Excellency the Governor General desires to be informed as to the nature and intent of the authority under which you are acting.

I have the honor to be, Sir,

Your obedient servant,

(Signed) JOSEPH HOWE,
Secretary of State

The Honorable A. G. Archibald,
Lieutenant Governor, Fort Garry,

(1) Sessional Papers 34 Victoria (No. 20, p. 73).

Letter from Lieutenant Governor Archibald to the Secretary of State for the Provinces, Nov. 22, 1870.

No. 48.

GOVERNMENT HOUSE, FORT GARRY,
22nd Novr., 1870.

SIR,—

I had the honor to inform you by my Despatch No. 26 of the 22nd October last of the alarming progress of smallpox in the region of the Saskatchewan, and of the measures I had taken under the Legislative power of the Governor and Council of the North West Territory to meet the emergency.

By my despatch No. 20 of the 13th October last, I had previously informed you of the frightful accounts received from the West, and I was induced by the information so received and by the urgent solicitations of the Board of Health, that something should be done without delay to arrest the progress of the disease to take the only means that seemed to me to be in my power to bring Legislative action to bear on the question. It did not seem to me that an order of the Executive Council of Manitoba would have sufficiently legal vigor to meet the case, and therefore the only course open to me seemed to be to resort to the Legislative power within the Province.

Unfortunately although I had then been in the Province from the 3rd September, nearly eight weeks, my books and papers, despatched from Ottawa on the 6th August, had never reached this place, and in all Manitoba not a single copy of the Acts of 1869 was to be found.

I had but a vague recollection of the terms of the Rupert's Land Act, but I assumed that substantially it would be the same with the Manitoba Act, so far as my power of appointment was concerned. Judge Johnson with whom I conferred could not add to my information. Mr. Donald A. Smith who was the Commissioner of the Government of Canada during the time the Act was applicable to the whole North West could give no particulars.

Accordingly I did the best I could in the emergency and selected three Gentlemen for Councillors who were duly sworn into office and we immediately proceeded to legislate passing some very stringent ordinances on the subject of smallpox and spirituous Liquors. We immediately despatched these laws to the West and appointed an officer or two just beyond the

Border, to carry them into effect, and since then I have reason to hope that in consequence of the vigorous manner in which the difficulty was met we may escape the ravages of this frightful scourge, while it would inevitably have visited us, if we had not taken most determined measures to prevent the importation of furs and robes from the infected district.

Meanwhile about the 5th Inst., my books arrived, and when I turn to the Rupert's Land Act (which you recollect was not printed in the pamphlets containing the Union and Manitoba Acts, of which there were numerous copies here) I find that I have been all wrong and that I have been exercising functions belonging to the Governor General who by the 4th section of the Act, has the appointment by warrant under his Sign Manual of a Council not exceeding fifteen and not less than seven persons to aid the Lieutenant Governor in the administration of Affairs, with such powers as may be from time to time conferred upon them by Order in Council.

The 2nd section of the Act is rather equivocal in its reading. It prescribes that the Governor General may by Order in Council confer upon the Lieutenant Governor the power to make provision for the administration of Justice in the Territory, and, as regards the Legislative power, it may mean either that the Governor General may himself make and ordain Laws or that he may authorize the Lieutenant Governor to do so.

The Act says it shall be lawful for the Governor General to authorize the Lieutenant Governor to make provision for the administration of Justice, and generally to make and ordain Laws. Does this mean that it shall be lawful for the Governor General to confer the authority to do all this, or to confer the authority as regards the administration of Justice, and to make and ordain Laws himself? To construe the Statute by grammatical rules, it would seem that the latter is the meaning, but judging from the scope and object of the Act, this could never have been intended and the true construction is probably that of the marginal note where the clause is summarised "Appointment and functions of Lieutenant Governor: Power to him to make Laws."

But even if that construction is adopted, it will be necessary to confer the powers of the Legislation by an Order-in-Council, and I have therefore to ask you to call the attention of the Government to the wording of the clause with a view to the passing of such an Order-in-Council, as would confer the Leg-

islative power which I assume ought to be held by the Lieutenant Governor.

The Council prescribed by the 4th clause of the Act are a Body to aid in the Administration of Affairs. The *Administration of Affairs* is to be conducted under the 3rd clause of the Act, pursuant to instructions to be given by Order-in-Council. This would seem to confine the powers of the Council to those of an advisory nature.

Was it intended, and if it was, does the language of the Act give the necessary power that the Council is to have Legislative authority?

I have always understood that in the old Governments of Governor and Council, the functions of legislation were exercised by the Council passing and the Governor assenting, substituting two branches for three, but then these Governments flowed from the prerogative while this has its origin in a Statute, and takes those powers only which it was the pleasure of the Legislature to confer.

Doubtless the matter was thoroughly understood by those who passed the Act but I confess I was greatly surprised in reading it to find its language so different from what I expected to find it.

On making the discovery of how far I had been mistaken I was at some loss what course to take.

Fortunately I had not gazetted the appointments, or done anything further than the publication of the Ordinances to make public the fact that there was a Council in existence, and the matter up to this moment has not excited an enquiry, but the Ordinances are treated as perfectly legal & valid.

Meanwhile I shall take an opportunity of suggesting at an early day the names of enough persons to make a Council of Seven and if the Government at Ottawa will by order, accordingly as they interpret the Act, confer on me, or on myself & the Council which is appointed, the Legislative power, it will be easy to make the Ordinances legal by a ratification of them made by proper Legislative authority.

It is of great importance that the Legislation adopted should be made valid & enforced as nothing short of these stringent measures will meet the necessities of the case.

One lesson I shall learn from what has taken place, that is, —never again, however great the apparent necessity, to assume

to act under a Statute on a mere vague recollection of its terms.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed) ADAMS G. ARCHIBALD.

8. Letter from Lieutenant Governor Archibald to the Secretary of State for the Provinces, Dec. 6, 1870.

NORTH WEST TERRITORIES.

No. 4 . Government House, Fort Garry,
No. 58. December 6th, 1870.

Sir, —

I have the honour to acknowledge the receipt of your Despatch No. 572 under date of the 17th November last, referring to my Despatch of the 22nd October on the subject of my appointment of certain Gentlemen to be members of the Council for the North West Territories & asking explanations as to the authority under which I had acted in making these appointments.

In my Despatch No. 48 under date the 22nd Ulto. I entered fully into an explanation of the circumstances under which this action had been taken, & took occasion to express my regret that yielding to what seemed the necessities of the moment I had undertaken to act without having before me, or having any opportunity to refer to, the Statute of 32 & 33 of Victoria Ch. 3. a copy of which at the time was not to be found in Manitoba.

In that communication I requested from you an interpretation of some of the clauses of this Act in question. Your letter to which I am now replying gives me information on one point, but I shall feel obliged if you will let me have the views of Government on the other points referred to in it.

You speak of the Council of Assiniboia as one that I may have supposed to be in existence but its jurisdiction never extended beyond a circuit of fifty miles from Fort Garry & besides it passed away with the regime of the Hudson's Bay Company on the 16th July last. At this moment I take it

the only legal authority in the North West Territories is that of myself as Governor and the Justices of the Peace, if any there were, under the Hudson's Bay Company's Régime who were continued in power by the Act of 1869.

Before closing this Despatch I shall as desired submit the names of a number of Gentlemen as suitable persons to form a Council for the North West Territories, provided I can procure some information of which I have need, in time for this mail, otherwise I will forward by next mail.

I have the honor to be,
Sir,
Your obedient Servant,
(Signed) Adams G. Archibald.

The Honble.
The Secretary of State
for the Provinces.

9. Letter from Lieutenant Governor Archibald to the Secretary of State for the Provinces, Dec. 7, 1870.[1]

(No. 5.) North Western Territory, Government House,
Fort Garry, 7th December, 1870.

Sir,—

I have the honor to acknowledge the receipt of your Despatch No. 576, under date the 19th ult. referring to a copy of an Act or Ordinance on the subject of small pox in the North-Western Territories, transmitted to you by me in Despatch No. 26 of the 22nd ultimo, and asking for certain information as to the authority for passing the Act.

In reply I have to refer you for explanation of the circumstances connected with this matter and the supposed authority under which it was passed, to my Despatch No. 45 of the 22nd ultimo, and also to my Despatch of this date, being No. 58 written in reply to yours of the 17th November last.

I have the honor to be,
Sir,
Your obedient Servant,
(Signed) Adams G. Archibald.

The Honorable
The Secretary of State for the Provinces,
Ottawa.

1 Sessional Papers, 34 Victoria (No. 20 p. 73.)

10. Letter from the Secretary of State for the Provinces to Lieutenant Governor Archibald, Dec. 13, 1870.

No. 628. Office of the Secretary of State for the Provinces.
Ottawa, 13th Decr. 1870.

Sir,—

I have the honour to acknowledge the receipt of your Despatch No. 48 of the 22nd Ulto. referring to your Despatch No. 26 of the 22nd Octr. last on the subject of the ravages of the small pox in the Region of the Saskatchewan and of the measures which you had taken to meet the emergency.

2. In your Despatch just received you explain the circumstances under which, not having a Copy of the Rupert's Land Act to refer to, you had, under an erroneous impression of the powers conferred on you by that Act, appointed 3 Executive & Legislative Councillors for Rupert's Land and the North West Territories.

3. It is satisfactory to receive your early explanations on this head, as in my letter of the 17th ulto. in reply to your Despatch reporting those appointments, your attention had been called to their apparent irregularity.

4. The suggestion contained in your last Despatch as to the propriety of His Excellency the Governor General under the provisions of the 2nd Section of the Rupert's Land Act conferring Legislative power on you as Lieut. Governor of the North West Territories, or on you and the Council appointed under that Act will not fail to receive the early consideration of His Excellency in Council.

I have the honour to be, Sir,

Your obedt. Servant,

(Signed) Joseph Howe,
Secretary of State.

The Honble
A. G. Archibald
Lieut. Governor.
Fort Garry, Manitoba.

11. Letter from the Secretary of State for the Provinces to Lieutenant Governor Archibald Dec. 28, 1870.

No. 663. Office of the Secretary of State for the Provinces,
Ottawa, 28th Decr., 1870.

Sir,—

I have the honour to acknowledge the receipt of your Despatches Nos. 58 & 59 (Nos. 4 & 5 North West Territories) dated respectively the 6th & 7th Inst. in reference to the appointment of certain Gentlemen to be Members of the Council for the North West Territories, and to the passing of an Act or Ordinance on the subject of smallpox.

Your Despatches will be brought under the early notice of the Minister of Justice.

I have the honour to be, Sir
Your obedient servant,

The Honble.
A. G. Archibald,
Lieut. Governor.
Fort Garry, Manitoba.

(Signed) JOSEPH HOWE,
Secretary of State.

12. Minute of the Privy Council of the Dominion, Oct. 1, 1873.[1]

GOVERNMENT HOUSE, OTTAWA,
Wednesday, 1st Oct. 1873.

PRESENT

His Excellency the Governor General in Council.

His Excellency was pleased to lay before the Council a Despatch, dated 6th September, 1873, from his Honor the Lieutenant Governor of the North West Territories, representing, with reference to the Oath directed by the Order-in-Council of the 6th August last to be taken by Members of the Council of the North West Territories that, whereas the functions of the said Council are both Executive and Legislative, it would be more convenient, and would contribute to the public interest if the secrecy enjoined by the said Oath were limited to the

[1] Canada Gazette, November 15, 1873.

Executive Functions of the said Council to the exclusion of those of a Legislative character.

Whereupon His Excellency, by and with the advice of the Privy Council, and under the provisions of the 1st Section of the Act passed in the 34th year of Her Majesty's Reign, intituled, *An Act to make further provision for the Government of the North West Territories,* has been pleased to Order, and it is hereby Ordered

That the following form of Oath be, and the same is hereby substituted for the form of Oath of the Members of the Council of the North West Territories adopted by the Order in Council of 6th August last, that is to say:

THE OATH OF THE MEMBERS OF THE COUNCIL.

YOU, , do solemnly promise and swear that you will serve Her Majesty truly and faithfully in the place of Her Council in these Her Majesty's North-West Territories: You will keep close and secret all such matters as shall be treated, debated and resolved on in Council relative to Executive Functions, without publishing or disclosing the same or any part thereof, by word, writing or any otherwise, to any person out of the same Council but to such only as be of the Council, and yet if any matter so propounded treated and debated in any such Council, shall touch any particular person sworn of the same Council, upon any such matter as shall in any wise concern his loyalty and fidelity to the Queen's Majesty, you will in nowise open the same to him but keep it secret, as you would from any person until the Queen's Majesty's pleasure be known in that behalf. You will in all things to be moved, treated and debated in any such Council, faithfully, honestly and truly, declare your mind and opinion to the honor and benefit of the Queen's Majesty and the good of Her Subjects, without partiality or exception of persons, in nowise forbearing so to do from any manner of respect, favour, love, need, displeasure or dread of any person or persons whatsoever. In general you will be vigilant, diligent and circumspect in all your doings touching the Queen's Majesty's Affairs; all which matters and things you will faithfully observe and keep, as a good Councillor ought to do to the utmost of your power, will and discretion. So help you God.

W. A. HIMSWORTH,
Clerk of the Privy Council, Canada.

"Minutes of North West Council."

Government House, Fort Garry,
March 8th, 1873.

At a meeting of the Council of the North West Territories held at Government House, Fort Garry, on the eighth day of March 1873, the following Members of the Council were present.

Honble. Mr. Girard
" D. A. Smith
" H. J. Clarke
" Pascal Breland
" Boyd
" Dubuc
" Bannatyne.[1]

His Excellency the Governor General's Commission having been read by the Secretary, His Excellency the Lieutenant Governor addressed the Council as follows:—

Honorable Gentlemen of the Council of the North West, I have much pleasure in calling you around me to assist me in the administration of the affairs of the North West Territories. The duties which devolve upon you are of a highly important character. A country of vast extent which is possessed of abundant resources is entrusted to your keeping, a country which though at present but sparsely settled, is destined I believe to become the home of thousands of persons, by means of whose industry and energy that which is now almost a wilderness will be quickly transformed into a fruitful land where civilization and the arts of peace will flourish. It is for us to labour, to the utmost of our power, in order to bring about as speedily as possible, the Settlement of the North West Territories and the development of their resources, and, at the same time, to adopt such measures as may be necessary to insure the maintenance of Peace and Order, and the welfare & happiness of all classes of Her Majesty's subjects resident in the Territories. The scope and nature of your authority are set forth in the act of the Dominion Parliament whereby the formation of this council is authorized,[2] and in the order of the Governor General in Council[3] copies of which will be

[1] Hon. Fraser's name has been erased in the original.
[2] An Act to make further provision for the government of the North West Territories, April 14, 1871 (34 Vict., ch. 16).
[3] Dated January 2, 1873.

laid before you—Among other matters which should claim your immediate attention, will be the taking means for ascertaining in what portions of the N. W. Territories settlements have been formed,[1] and suggesting to the Dominion Govt. the propriety of surveying and dealing with the lands in those districts. It will also be advisable to ascertain the numbers of the various native tribes, with the localities in which they reside, and to suggest measures for concluding satisfactory treaties with them. Means must be devised for the proper administration of Justice, the prevention of Trade in intoxicating liquors, and the vigorous assertion of the law in all cases of crime and disorder.

I will also take your Counsel as to the most appropriate locality in which the band of Sioux now resident in Manitoba, should be placed for permanent residence.[2]

I now invite you to enter upon the duties of your office, well assured, as I am, of your sincere desire to assist me loyally and faithfully in the administration of the affairs of the North West, and in the development of that mighty region whose Future I believe to be so full of promise.

A. M., L. G.[3]

It was then moved by the Hon. M. A. Girard, seconded by the Hon. H. J. Clarke, and

Resolved, That His Excellency's address be entered in the Minutes of Council and that time be given to Council to prepare an address in reply.

Moved by Honble. M. A. Girard

Seconded by Honble. D. A. Smith

and *Resolved,* that an Act passed by the Lieutenant Governor and Council of Rupert's Land on the 22nd of October 1870, for the prevention of the sale of spirituous liquors in the North

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[1] The Order in Council transferring the Territory to Canada indicates where settlements are.

[2] After the Minnesota massacres the Sioux entered the District of Assiniboia in 1862. They were now living in the parishes of Poplar Point, High Bluff and Portage la Prairie. See Morris, *Treaties of Canada with the Indians of the Northwest*, p. 276.

[3] Alexander Morris, Lieutenant Governor.

West Territories be *re-enacted*[1] and it *now be read for the first time.*

The Bill was then read a first time.

Communications were then laid before the Council concerning the present condition of the Indians at and near Fort Ellice and elsewhere, and the Secretary was instructed to prepare a resolution expressing the views of the Council in respect thereto.

Moved by Honble. M. A. Girard

Seconded by Honble. D. A. Smith, and

Resolved that an address be prepared and transmitted to His Excellency the Governor General,[2] congratulating him upon his appointment, and expressing the hope that he will soon visit the North West.

After some discussion on the subject of the administration of Justice in the North West Territories, decided, as to the probable advisability of four Stipendiary Magistrates being appointed, who should be stationed at Fort Francis, Fort Qu'-Appelle, Fort Carlton and Fort Edmonton, also a resident Judge.[3]

It was determined that the following subjects should be disposed of at the next meeting of the Council, viz.: Address to H. E. the Governor General, reply to H. E. the Lieutenant Governor's speech; the selection of a scout to proceed at once into the Saskatchewan and Plain country;[4] and the resolution concerning the present condition of the Indians at and near Fort Ellice and elsewhere. Also that the questions of the administration of Justice in the North West Territories, the location of the Sioux now in the Province of Manitoba, and the

[1] The 40th and 59th Standing Rules of the Fur Trade established by the Councils of the Northern and Southern Departments of Rupert's Land regulated the sale of spirits. The Company aimed to discourage the use of spirits among the Indians. Donald A. Smith by what is still known as the Smith Act forbade the importation of intoxicating liquors into the Company's Territories. This Act was passed also by Lieut. Gov. Archibald and his small Executive Council of Three—(Johnson, Smith, Breland). Butler's report says, "Alcohol discontinued by the Hudson's Bay Company in their Saskatchewan district for many years has been freely used of late by free traders from Red River; and, as great competition always exists between the traders and the employers of the Company the former have not hesitated to circulate among the natives the idea that they have suffered much injustice in their intercourse with the Company.

[2] The Earl of Dufferin visited the West in the summer of 1877.

[3] With powers of J. of C. of L. B.

[4] In 1870, Captain W. F. Butler had been sent as a scout or commissioner of the Dominion government to report on the condition of the Territories, to decide whether troops were necessary, to ascertain the ravages of small pox, to enforce the liquor law and in general to report on the natives.

sale of poisons in the North West Territories, should be discussed by Council with a view to their final settlement.

Council then adjourned to meet on Monday, March 10th at 10.30 a. m., at Government House.

Memorandum. Honble. Donald A. Smith stated that the Hudson's Bay Company are in possession of information concerning the various settlements in the Territories, their population, &c., which would be placed at the disposal of Council.

GOVERNMENT HOUSE,
March 10th, 1873.

The Council met at 10.30.

PRESENT

Honble. D. A. Smith,
" H. J. Clarke,
" Boyd,
" Breland,
" Bannatyne,
" Dubuc.

Minutes of last meeting of Council read and confirmed, Address to H. E. the Governor General read and approved.

Moved by Honble. D. A. Smith

Seconded by Honble. Mr. Dubuc, and

Resolved, that the Members of the Council of the North West Territories thank His Excellency the Lieutenant Governor for His gracious speech. They appreciate the responsibilities of their position as Members of the Council charged with the administration of affairs in a country of such vast extent, which, although, at present sparsely settled, they hope and believe will ere long become the home of thousands of persons by means of whose industry and energy that which is now almost wilderness will be quickly transformed into a fruitful land where civilization and the Arts of Peace will flourish.

They feel it to be their duty to labour to the utmost of their power in order to bring about as speedily as possible, the settlement of the North West Territories and the development of their resources and at the same time to adopt such measures as may be necessary to insure the maintenance of Peace and Order, and the welfare and happiness of all classes of Her Majesty's subjects resident in the Territories.

They recognize the importance of the various questions to which their attention has been directed by His Excellency, and desire to deal with them in an intelligent and patriotic manner.

In entering upon the duties of their office they are animated by a sincere wish to assist the Lieutenant Governor loyally and faithfully in the administration of the affairs of the North West, and in the development of the resources of the mighty region whose Future they believe to be so full of promise.

The following Bill authorizing the appointment of Magistrates[1] and Coroners was then read a first, second and third time and passed.

"Whereas it is necessary to provide for the repression of crimes and other infractions of the laws in the North West Territories, the immediate appointment of Justices of the Peace is of urgent importance.

Be it therefore enacted by the Lieutenant Governor of the North West Territories, by and with the advice of the Council of the NorthWest, that

It shall be lawful for the Lieutenant Governor in Council whenever he shall think fit to appoint such and as many Justices of the Peace and also Coroners for the North West Territories, as to him shall seem meet, and at the time of such appointment to declare whether such Justices and Coroners shall have jurisdiction throughout the whole Territories or within any particular district or portion thereof to be defined and described in the Commission appointing any such officer. And such officer shall thereupon be invested with Jurisdiction in the Territories or in any sub-division thereof as the case may be.

Resolved, That in the opinion of Council it is necessary that for the Maintenance of Peace and Order in the North West Territories, a sufficient force of Military and Police, the latter being under Military discipline and either wholly or in part mounted, should without delay be stationed in the Territories.[2]

Resolved, That the Council of the North West Territories ask authority to send the Honble. Mr. Breland out at once to ascertain facts as to the threatened Sioux Raid which has been represented to them.

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[1] The Lt. Governor was authorized (34 Victoria, ch. 16) "to make provision for the administration of Justice."

[2] The Royal Northwest Mounted Police were organized in 1873 with an initial strength of 300 men under Commissioner French. The bill to establish the R.N.W.M.P. was assented to May 23, 1873.

A dispatch, based upon the resolution was at once sent by telegraph to Ottawa (See Tel. No. 1.)

The Act for the prohibition of the sale of Liquors, with amendments, was then read a second and third time and passed in the following form.

"Whereas the giving, selling, or bartering to Indians of spirituous liquors is subversive of public order and dangerous to the public peace and the use or sale of such liquor in the North West Territories is detrimental not only to the Indian population but to the other residents therein;

Be it therefore enacted by the Lieutenant Governor of the North West Territories, by and with the advice of the Council of the said Territories as follows.

1st. The importation by any person or persons whatsoever into any portion of the North West Territories[1] not being within the Province of Manitoba, of any rum, whiskey or other spirituous liquor whatever is prohibited; and any person who shall take, carry, send bring or import or have in his possession at any place within the said Territories, any such liquor as aforesaid, shall forfeit and pay a fine not exceeding £100 and such liquor shall be confiscated, spilled on the ground and destroyed by the officer or person seizing the same.

2nd. It shall be lawful for any Justice of the Peace, Quarantine or Peace Officer, Constable, or other person, with or without warrant and without any form of seizure to take confiscate and destroy all and any such spirituous liquors found or being within the Territories aforesaid.

3rd. All fines imposed by this Act shall be recoverable before one Justice of the Peace upon complaint, either oral or in writing, upon the oath of one credible witness, and one-half of the penalty imposed shall belong to the complainant, and one-half to the Government.

4th. Provided always that nothing in this Act shall be held to extend to any such liquors on the way by sea or land into Manitoba, or other Province of the Dominion, through the said North West Territories.

5th. Provided always that wine for Sacramental purposes may be introduced into the Territories on a permit from the Lieutenant Governor in favour of any Priest, Minister, (or Missionary in charge of a recognized Missionary station) or of the Bishop or other Ecclesiastical authority, and shall not be

[1] In the original act the wording was "Rupert's Land or the North-western Territory."

liable to seizure and any such Wine introduced for such purposes shall if seized be released on proof that the same was bona fide, brought in for such purposes as aforesaid.

6th. All other enactments inconsistent with the Statute are hereby repealed, except as to any proceedings now pending thereunder."

The following Act was then read a first, second and third time, and passed—

"The Lieutenant Governor of the North West Territories, by and with the advice and consent of the Council of the North West Territories enacts as follows:

1. It shall henceforth be unlawful for any person to import or take in to the North West Territories, or into any part thereof, or to have in[1] his possession, any strychnine or other poison; or to use or cause to be used the same within the said Territories, either for the purpose of capturing or destroying any animal, or for any other purpose whatever.

2. Any person importing or taking into the North West Territories, or any part thereof, any strychnine or other poison, or having the same in his possession, or using or causing to be used the same for any purpose whatever, shall be subject for the first offence to forfeit the same as well as any animal skin or fur thereby captured or procured; and for any subsequent offence, shall over and above such forfeiture be subject to a penalty not exceeding twenty-five dollars and costs of prosecution, and shall be subject to imprisonment until such penalty and costs are paid.

3. Any Justice of the Peace in the North West Territories, shall either on his own view or on the evidence of one credible witness, summarily deal with and adjudge upon any offence against this Act.

4. Provided, however, that the word "poison" as used in the Act shall not be held to extend or to include any drug or other poison, bona fide imported as medicine only for the use of sick persons, and the onus of proof that such drug &c is so imported for such use only shall lie upon the person in whose possession the same may be found, and in default of such proof the same shall be held to have been imported in violation of this Act."

The following resolutions were then passed:

Resolved,—That the Council of the North West Territories are of opinion that American citizens should be allowed no

[1] In the District of Assiniboia regulations were in force for the distribution of strychnine by the Bishops.

greater privileges in the way of trading &c., than are conceded to English subjects trading in the Indian Territories of the United States."

Resolved,—That the Council of the North West Territories are of opinion that the Criminal Laws now in force in the other portions of the[1] Dominion of Canada should be extended to the North West Territories."

The following gentlemen were then appointed Justices of the Peace in the North West Territories.

William McMurray,	of Isle a la Croix.
R. Hardisty,	Fort Edmonton.
William McKay,	Fort Pitt.
B. MacKenzie,	Victoria.
John Bunn,	Rocky Mountain House.
Lawrence Clarke,	Carlton.
William Trail,	"
John McKay,	Prince Albert.
Adam Macbeth Jr.	"
John H. Kerr,	"
Roderick McFarlane,	Athabasca.
W. L. Hardisty,	MacKenzie River.
Archibald MacDonald,	Fort Ellice.
Horace Belanger,	Cumberland.
James S. Clusen,	Moose Factory.[2]
George S. McTavish,	Rupert's House.
Alexander McDonald,	Albany.
Colin Rankin,	Abbitibi.
David Armit,	North West Angle.
Charles Crowe,	Fort Frances.
Robert Pether (Indian Agent),	

[1] Under the Hudson Bay Company all factors were regarded as magistrates. Cases of outrage were tried usually at Red River or Norway House. Murderers were sent to Canada for trial in accordance with George III, Act 43, Chap. 138,—"An Act for extending the jurisdiction of the courts of justice in the Provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America, adjoining to the said provinces." Later an Act (George IV. Act 1 and 2, Ch. 66) entitled "An Act for regulating the fur trade and establishing a commercial and civil jurisdiction within certain parts of North America," removed the doubt whether George III. Act 43 Ch. 138, extended to the H. B. Co. Territories. The N. W. Council was simply succeeding the H. B. Co. in the administration of justice. The Company's officers were still the fittest agents for the administration of justice as Justices of the Peace or local magistrates.

[2] John Fisher of Lac Qu'Appelle is also found in the original but a pencil mark is drawn through it.

Joseph Fortescue, York Factory.

and

All the Members of the Council of the North West Territories.

The Council then adjourned.

Certified ALEX. MORRIS, L.G.

THURSDAY, September 4th, 1873.

The Council of the North-West met at Government House at Fort Garry at eleven o'clock A.M.

The following members of the Council were present.

Honble. Messrs. D. A. Smith
" Girard
" Clarke
" Schultz
" Breland
" Fraser
" Bannatyne
" Dubuc
" Hamilton.

The oaths of allegiance and office were administered to the above named members by Lieut. Col. Osborne Smith.[1]

The Minutes of the last Meeting were read and approved.

The Acts in reference to the Government of the North-West and the administration of Justice therein were laid before the Council; also the Act relating to the increase of the number of the North-West Councillors;—all as passed by the Parliament of the Dominion at its last Session.[2]

The Lieutenant Governor informed the Council that the Honble. H. J. Clarke, Attorney General of Manitoba, and a Member of this Council had been appointed legal adviser to the Council of the North-West with a salary of $1,000 per annum.

Proposed by Honble. A. Girard

Seconded by Honble. D. A. Smith and

Resolved That the Dominion Government be requested to give force immediately to the act of the Council at its last session in reference to the appointment of Justices of the Peace in the North-West Territories.

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[1] W. Osborne Smith, C.M.G., Lieut. Col., Deputy Adjutant General of Militia, Commanding Dominion Forces in North West. In 1876 he became a member of the Council of Keewatin.

[2] 36 Victoria, Chaps. 5, 34 and 35.

The following Members of the Council were appointed a Committee to report to Council on the following subjects—Honble. Messrs. Girard, Clarke, Smith, Dubuc & Hamilton:

The enforcement of Laws in the North-West Territories.

The Administration of Justice.

The Summary Trials Act and the propriety of extending it to the North-West.

The appointment of Coroners.

The necessity of the Dominion Government appropriating some funds for the service of the North-West Council, and for North-West Contingencies.

The following Members of the Council were appointed a Committee to report to Council—Honble. Messrs. Smith, Schultz, Breland, Bannatyne and Fraser.

They were instructed to report upon the necessity of a Treaty being negotiated next year with the Indians as far West as Fort[1] Carlton, or thereabouts:—also as to the propriety of the lands in the North-West being surveyed so soon as said Treaties are concluded:—also as to the necessity of maintaining a large Military force in the North-West.

Council then adjourned until two o'clock P.M. on Monday, September 8th, 1873,

(Sgd.) WILLIAM THORNTON URQUHART,
Clerk of the Council of
The North-West Territories.

Approved

(Sgd.) A. MORRIS, L.G.

MONDAY, September 8th, 1873.

Council met at Government House, Fort Garry at 2 P.M.

Present

Honble. Messrs. Girard
" Smith
" Clarke
" Breland
" Schultz
" Dubuc
" Bannatyne
" Fraser
" Hamilton.

[1] The Qu'Appelle Treaty (No. 4) was concluded Sept. 15, 1874. The adhesion of Cree Saulteaux and Assiniboine Indians took place at Qu'Appelle Lakes, Sept. 8 and 9, 1875. Treaties were made at Forts Carlton and Pitt in 1876.

The Minutes of the last Meeting were read and approved.

The Committee instructed at last Meeting to report as to the necessity of a Treaty being negotiated with the Indians next year, &c., reported through their Chairman Honble. Mr. Smith, having reported on all questions referred to them.

The Committee instructed at last Meeting to report as to the enforcement of the laws in the North-West Territories, reported through their Chairman, Honble. Mr. Girard, and asked and obtained leave to sit again.

Honble. Messrs. Girard, Smith, Clarke, Schultz and Dubuc appointed a Committee to prepare Rules of Procedure for the Legislation of the Council, and submit the same to Council at its next session.

Moved by Honble. Donald A. Smith

Seconded by Honble. Mr. Schultz and

Resolved That the Council of the North-West are of opinion, that in view of the rapid increase of Settlement in the North-West Territories, and the present disturbed condition of the Indians and their anxiety as to the future, it is imperatively necessary that a Treaty should be concluded with the bands of Indians living between the Western Boundary of that portion of the Territory in which the Indian title has already been extinguished, and Fort Carlton or thereabouts.

The Council are of opinion that to defer the negotiation of a Treaty of this nature beyond the earliest time possible in the year 1874 would be attended with unfortunate results.

The Council are also of opinion that the payments to be made to the Indians under the provisions of this Treaty should be in the shape of annuities terminable in twenty-five years.[1]

The Council recommend that such Treaty shall provide that if parties not entitled to participate in annuities to be paid to any particular tribe are allowed to do so, then a *pro rata* sum shall be deducted from the next annual payment to be made to the tribe by whom this improper payment was permitted to be made.

In the opinion of the Council, it would be preferable if the payments made to the Indians were made in goods rather than in money; the Council having reasons to know from the experience of the past, that the Indians will greatly profit by obtaining all their goods through the Government Agent, instead of purchasing them from traders with their annuities.

In the Settlement of the Reserves and the payment of annuities, a person of mixed blood electing to be called an

[1] The annuities were made perpetual.

"Indian" and participating in the benefits of the Treaty as such, shall not be entitled to the same privileges enjoyed by other Settlers.

That it is, in the opinion of the Council, necessary that the [1]Treaty should provide for the establishment of Schools for the education of the Indians, for the purchase of agricultural implements, cattle and also for teaching the Indians the proper mode of cultivating the soil.

Moved by Honble. Mr. Girard
Seconded by Honble. Mr. Fraser and

Resolved That Council are of opinion that, as soon as a Treaty has been concluded with the Indian Tribes resident in the Country lying between the Western boundary of that portion of the North-West Territories wherein the Indian title has already been extinguished, and Fort Carlton or thereabouts, surveys should be made in those parts of the said Country where white or Half-breed settlements have taken place, or where it may be desirable to form settlements.

Moved by Honble Mr. Bannatyne
Seconded by Honble Mr. Clarke and

Resolved, That the Council of the North-West have observed that an Indian Commission has been appointed for the purpose of dealing with the Indians of the North West, and are of opinion that grave difficulties and complications are likely to arise from the existence of the District organizations, the one dealing, of necessity, with, and authorized to legislate with regard to many matters affecting the Indian population, and the other charged with the general control of Indian affairs.[2]

They believe that the best interests of the Dominion would be subserved if a plan was devised for placing the direction of Indian matters under the supervision of this Council, subject to directions from the Honble The Minister of the Interior.[3]

Moved by the Honble Mr. Breland
Seconded by the Honble Mr. Hamilton and

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[1] This was actually done.

[2] In 1871 a joint commission to treat with the Ojibbeway Indians was issued to Wemyss M. Simpson, S. J. Dawson and W. J. Pether. After Mr. Simpson's resignation, Lieut. Col. J. A. N. Provencher was appointed Commissioner of Indian Affairs. In 1873 a Commission was issued to Lieut. Gov. Alexander Morris, Lieut. Col. Provencher and Lindsay Russell. As Mr. Russell was unable to act Mr. Dawson was appointed Commissioner in his stead. Hon. Alex. Morris, Hon. David Laird, Minister of the Interior, and W. J. Christie, retired Chief Factor concluded the Treaty at Qu'Appelle.

[3] The Lieutenant Governor of the North West Territories afterwards was for a period also Indian Commissioner.

Resolved, That while the Council view with satisfaction the action of the Dominion Government in maintaining the existing military force now in Manitoba, and in organizing a body of Mounted Police for service in the North West and Manitoba, they are strongly of opinion that a still larger military force will be found immediately necessary, to provide for the maintenance of order, the enforcement of the Customs, and Civil and Criminal Laws, as well as for the sake of the moral effect which the presence of such a force would have in supporting the Civil authorities in the execution of the Laws.

The Council are led to this conclusion from the knowledge they possess that persons professing to be American citizens have established themselves in force within the Territory, and have also proceeded to perpetrate gross outrages upon the native population as well as upon Her Majesty's Subjects generally, including murders of a most aggravated kind, for which during the present condition of the Territory, and the absence of all Law and Order there, no redress can be obtained.

The Council are also aware that murders have been committed in various parts of the Territory by Indians and Half-breeds, which have been allowed to go unpunished, because there were no means at hand to enforce the Law. Such a condition of affairs if allowed to continue will effectually prevent the Settlement of the Country.

In reference to this matter, the Council of the North West desire to direct the attention of the Dominion Government, to the fact that Westward of Manitoba, the District of Country known as "The fertile Belt" extends for upwards of twelve hundred miles, and that, at the present[1] time, there is no means of communication with this region except by the ordinary cart or waggon.

The time occupied in travelling from Fort Garry to Fort Edmonton, is not, under ordinary circumstances less than one month, thus showing the impossibility of meeting any emergency promptly, without the aid of a resident force.[2]

It must also be remembered that lying Northward of and beyond the Fertile Belt, is a vast District, far more difficult of

[1] In 1862 the first brigade of Red River carts organized by Rev. Father Lacombe crossed the prairies from Ft. Garry to Ft. Edmonton. The Hudson's Bay Company inaugurated their brigade in 1867. This consisted in that year of 82 carts.

[2] At that time Edmonton was the metropolis of the whole western country. It was over twelve hundred miles from a railroad and some thousand miles from a telegraph office, and there was no regular mail communication." McDougall, *On Western Trails in the Early Seventies,* pp. 13, 14.

access at present, the only means of communication with the greater portion of it being by water. Taking all these facts into consideration the Council of the North West are decidedly of opinion that the military force maintained in Manitoba and the North West Territories, exclusive of the Mounted Police. should consist of not less than five hundred men.

Moved by the Honble Mr. Girard

Seconded by Honble Mr. Clarke, and

Resolved That the following Act authorizing the appointment of Coroners in the North West Territories be read a first, second and third time and passed.

Whereas the immediate appointment of Coroners in the North West Territories is of urgent importance.

Her Majesty, by and with the advice and consent of the Council of the North West Territories enacts as follows:

1. It shall be lawful for the Lieutenant Governor in Council whenever he may think fit to appoint under the Great Seal one or more Coroners to serve in the North West Territories or any District or sub-division thereof.

Moved by Honble Mr. Hamilton

Seconded by Honble Mr. Clarke, and

Resolved That the Council view with satisfaction the provisions of the Dominion Act " to make further provision as to duties of Customs[1] in Manitoba and the North West Territories ", for the prohibition of the importation of spirits into the North West. They desire to point out, however, that according to the provisions of that Act, spirits or strong waters &c. &c. in the North West can be seized and confiscated by Constables or Officers of the Law only, and in view of the absence of such Officers, and of the disastrous results likely to ensue from the sale of liquor to the Indians, they desire to suggest that the Act be amended in accordance with the Act passed by the North West Council at their last Session and shall give authority to any person to confiscate, spill on the ground, and destroy, any liquor brought into the Territories in contravention of the Law.

Moved by the Honble. Mr. Dubuc

Seconded by the Hon. Mr. Fraser and

Resolved That the Council feel that the future welfare of the North West Territories greatly depends upon the prompt and efficient administration of justice. They are of opinion

[1] 36 Vict., ch. 39.

that the bringing of all prisoners[1] charged with the graver crimes, together with witnesses &c &c from all parts of the Territory in the Province of Manitoba for trial, will in consequence of the enormous extent of the Territory, be attended with such vast expenses, as will practically lead in most cases, to a failure of justice and render the Law of no effect.

The Council are further of opinion that one or more Judges,[2] with the powers of Judges of the Court of Queen's Bench, should be appointed for the North West Territories without delay.

A Committee, consisting of Honble Messrs Breland, Schultz Bannatyne and Hamilton, was appointed to report upon the Fisheries &c. of the North West with instructions to report at the next meeting of Council.

Honble Mr. Schultz was added to the Committee on the Administration of Justice &c.

Council then adjourned until two o'clock P.M. on Thursday September 11th 1873.

(Signed) WILLIAM THORNTON URQUHART,
Clerk of the Council.

Approved
(Sgd) A. MORRIS,
L.G.

Thursday September 11th 1873.

Council met at Government House, Fort Garry, at two o'clock P.M.

Present Honble Messrs Girard, Smith, Clarke, Breland, Schultz, Dubuc, Bannatyne, Fraser and Hamilton

The Minutes of the last Meeting were read and approved.

The Lieutenant Governor informed Council that he had received authority to send a Commissioner to the Western Country to see the Indians and give them presents, and His

[1] Any Justice of the Peace or Stipendiary Magistrate or any Judge of the Court of Queen's Bench of Manitoba had the power to send certain offenders to Manitoba for trial by the Manitoba Court of Queen's Bench according to criminal procedure in force in Manitoba. The punishment was awarded according to laws in force in the N. W. T.

[2] The North West Territories Act, 1875, provided for the appointment of not more than three Stipendiary Magistrates. They were given the power of two Justices of the Peace in the trial of offences. The Chief Justice or any Judge of the Court of Queen's Bench of the Province of Manitoba with one of the Stipendiary Magistrates as associate heard more serious cases. In 1884 the Stipendiary Magistrates became judges.

Honour intimated his desire to obtain the benefit of their advice with regard to the matter. It having appeared in discussion that the Hon. Mr. Breland had informed certain tribes of Indians at Coteau and Castor Rivers that they would be visited this year, as he (Mr. Breland) was authorized to do, Council advised that a messenger be sent at once.[1]

The Lieutenant Governor also stated that although it was a matter not strictly within their province, he wished to consult them on another subject and to profit by the knowledge of Indian character and Indian habits which many members of the Council possessed. He explained that the Saulteaux Indians had promised to meet His Honour at the North[2] West Angle, but had since changed their minds and wanted him to meet them at another point. Was it the opinion of the Council that he ought to do so? The Council strongly advised His Honour not to change the place of meeting as they considered it would be most unwise to do so, an opinion in which the Lieutenant Governor concurred.

The Committee on the administration of Justice reported the three following resolutions, which were adopted by Council.

Resolved That while the Committee on the administration of Justice in the North-West Territories are expected to submit an Act to Council providing for the collection of debts not exceeding the sum of two hundred dollars, the Council of the North-West desire to direct the attention of the Dominion Government to the fact that great inconvenience will arise if provision is not made for the collection of sums beyond that amount. This cannot be done until Judges or Stipendiary Magistrates are appointed.

Resolved That whereas it is of urgent importance that some law should at once be enacted providing for the relations existing between Masters and servants in the North-West Territories.

Her Majesty, by and with the advice and consent of the Council of the North-West Territories enacts as follows:

That the " Masters and Servants Act " passed by the Legislature of Manitoba 1871, shall with all the provisions thereof be extended to the North-West Territories and shall be of force there.

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[1] Mr. Breland was commissioned to visit the Indians owing to the apprehension due to the Indian dissatisfaction with their treatment by Indian Commissioner Wemyss Simpson, and with the indifferent reception accorded to 'Little Knife' in Winnipeg.

[2] The North West Angle of the Lake of the Woods.

Resolved That the Council of the North-West desire to represent to the Dominion Government that they have no funds at their disposal to enable them to enforce any laws of the Dominion, or to discharge any obligation or to provide for any contingencies which may arise. They, therefore, earnestly request that the Dominion Government will place a sum of money, say ten thousand dollars, at the disposal of the Clerk of the Council, for the discharge of such debts obligations and charges, as may from time to time arise, in connection with the proceedings of the Council, and their administration of the affairs of the North West Territories so far as lies within their province. Upon this sum being placed at the disposal of Council, the Council desire that the Clerk of the Council shall act as Treasurer thereof, all vouchers for payment being countersigned by the Lieutenant Governor.

The Committee through their Chairman Honble. Mr. Girard, asked leave to sit again.

The Committee on Fisheries, &c., &c., reported through their Chairman Mr. Hamilton

Moved by Honble. Mr. Hamilton

Seconded by Honble. Mr. Schultz and,

Resolved That the Council of the North-West are glad to find from report which appears in the last Report of the Minister of Marine and Fisheries that the attention of the Dominion Government has been directed to the Fisheries of the North-West Territories. They concur in the remark contained in the report in question to the effect that " The White " Fish forms an article of food which is not only exceedingly " popular, but is also, for many reasons remarkably well " adapted to the climate and Country."

They are of opinion that the time has arrived when steps should be taken with a view to preventing any serious diminution in the supply of white fish.

That in view of the fact that in certain portions of the North-West Territory and more especially in the vicinity of Norway House, the inhabitants are entirely dependent upon fish for food, the Council suggest that steps should be taken by the Dominion Government to prevent persons from setting nets or weirs in the main Channels of the Rivers, or at any other points through which fish are in the habit of passing to their spawning grounds, in such a manner as to prevent the ingress of the Fish, and to enforce such regulations as may, from time to time, appear necessary for the preservation of the Fish.

The Council also desire to suggest to the Dominion Government, that measures should be adopted to prevent the accumulation of sawdust in rivers and streams in such parts of the North-West Territories wherein Saw Mills have been or are about to be erected.

Proposed by Honble. Mr. Hamilton
Seconded by Honble. Dr. Schultz, and

Resolved, That the Council of the North-West Territories have pleasure in recognizing the services performed by the Revd. McKay of Stanley[1] Mission, in printing, translating and publishing in the Cree language the "Masters and Servants Act" of Manitoba, the provisions of which are now extended to the North-West Territories.

Proposed by Honble. Mr. Clark
Seconded by Honble. Mr. Smith and

Resolved, That the Council have much pleasure in acknowledging the very efficient manner in which Mr. Urquhart, the Clerk of the Council, has discharged the duties of his office, and recommend to the Dominion Government in view thereof, the high cost of living in Manitoba, and the increase of work which will be entailed by his discharging the duties of Treasurer to the Council, as Council desire, that his salary be increased by the additional sum of four hundred dollars per annum.

The Committee on Standing Orders, &c., were directed to sit during the recess and report to Council at their next Session.

Honble. Messrs. Bannatyne and Fraser were added to the Committee, and the number to constitute a quorum was fixed at three.

The Council appointed
Julian Onion of MacKenzie River
Edward McKay of Qu'Appelle
Isaac Cowie of Qu'Appelle
Roderick Ross of Norway House.
Justices of the Peace in and for the North-West Territories.

The name of John Fisher of Lac Qu'Appelle which had been placed on record as a Justice of the Peace at the last Session of the Council, having been introduced inadvertently, was ordered to be erased, and the Clerk of the Council was in-

[1] Rev. J. A. MacKay of Stanley Mission on English River, afterwards Archdeacon of the Diocese of Saskatchewan.

structed not to issue a Commission as Justice of the Peace to the said John Fisher.

The Council adjourned until 2.30 on Saturday afternoon, September 13th.

(Signed) WILLIAM THORNTON URQUHART,
Clerk of the Council.

SATURDAY, September 13th, 1873.

The Council met at 2.30 P.M.

Present:

Honble. Mr. Girard
" Smith
" Clarke
" Bannatyne
" Dubuc
" Breland
" Fraser
" Hamilton

The Committee on administration of Justice &c. &c. reported progress and requested leave to sit again.

Proposed by Honble. D. A. Smith

Seconded by Honble. M. A. Girard, and

Resolved Whereas it is of urgent importance that the rate or scale of fees receivable by Justices of the Peace in the North-West Territories by their Clerks and Constables.

Her Majesty, by and with the advice of the Council of the North-West, enacts that the following shall be the fees in all cases receivable

For the Information and Warrant	$1.00
Information and Summons	1.00
For each copy or Summons to be served	.30
Subpoena	.30
Recognizance	.75
Certificate of Recognizance under the Act respecting estreats	.75
Information and Warrant for Surety of the Peace for good behaviour	1.00
Warrant of Commitment for Default of surety to keep the peace, &c., &c	1.00

Hearing and determining the case	1.00
Warrant to coy penalty	.75
Making up every record of convictions when the same is ordered to be returned to Sessions or on Certiorari	3.00
Copy of any other paper connected with any trial, and the Minutes of the same, if demanded, every folio of 100 words	.30
Witnesses fees per day	1.50
" Mileage	.15
Bill of Costs	.30
Convictions	1.00
Record of Convictions	1.00
" Constables costs—Service of each summons	.50
Mileage for service of Summons or Warrants per mile	.25
Service of Warrant per mile	.30

Constables time for arrests, attendance on day of trial, levying upon a distress Warrant and returning the same shall be paid at the rate of $2.00 *per diem.*

Proposed by Honble. Mr. Clarke
Seconded by Honble. Mr. Smith, and

Resolved, That Council request authority from Dominion Government to defray, out of any funds placed at their disposal, any reasonable expenses, attendant upon paying Constables and Witnesses in Criminal Cases, brought down, or coming down from the North-West Territories to Manitoba to attend any trial.

Proposed by Honble. Mr. Clarke
Seconded by Honble. Mr. Girard, and

Resolved That Council desire that.....
....should be made Constables in the North-West Territories under the authority of the Lieutenant-Governor during pleasure, for the enforcement of the Liquor Law.

Proposed by Honble. Mr. Clarke
Seconded by Honble. Mr. Bannatyne, and

Resolved That the Clerk of the Council be directed and he is hereby directed to apply for fifty English and fifty French copies of the Criminal Statutes of Canada, and for authority to print and distribute printed forms of Summonses &c. &c. as

required by the Statute for the use of Justices of the Peace in the North-West Territories.

Proposed by Honble. Mr. Smith

Seconded by Honble. Mr. Breland and

Resolved That the fact that there is, at present, no means of Postal communication in the North-West Territory is a serious want which cannot be too soon supplied, and that in order to provide for the wants of those persons already settled there; and promote their safety and comfort, as well as to render the Territory more likely to attract Immigration, the Dominion Government should establish a postal service without delay.

The Standing Committee, consisting of Honble. Messrs. Girard, Smith, Clarke, Schultz, Dubuc, Bannatyne and Fraser were directed to report to Council at its next Session on the following subjects:

1. Rules of Procedure in the Council.
2. Marriages in the North West Territories.
3. The best mode of framing an Act with regard to Wills, the mode of succession to Estates, and relating to minors and Intestates.
4. Preparing of an Act for the Collection of debts in the North West Territories under the amount of $200.
5. As to petitions in all matters affecting private interests, and public notice being given thereof.
6. Whether any and what amendments are required in the "Masters and Servants Act."
7. To report to Council what legislative action should be undertaken for the better Government of the North West, and the promotion of the welfare of its people.

It was agreed that three Members of the Committee should constitute a quorum.

The Council then went over the list of Justices of the Peace prepared at the last Session of the Council with a view to its revision. The name of Adam Macbeth, Jr. of Prince Albert was struck off, he having left the Territories.

Louis Chatelain,	St. Albert.
Peter C. Pambrun,	Lac La Riche.
Jean L. Légaré,	Woody Mountain.
Louis Marion,	Belly River.
MacDougall,	MacKenzie River.
MacKay,	" "
Macaulay,	Peace River.

Cotter,	East Main.
Alexander Matheson,	The Pas.
Duncan Matheson,	Swan River.
Alexander Sinclair,	Nelson River.
Alexander R. Lily,	Fort Alexander.
Malloch,	James Bay.
Henry Moberley,	Clear Water.

A Committee consisting of the Hon. Messrs. Hamilton & Bannatyne and Mr. Urquhart the Clerk of the Council was appointed with directions to see that all Acts of Council &c. shall be published in the English, French and Cree Languages.

His Honor the Lieutenant Governor thanked the Council for the close attention they had given to public affairs and prorogued the Council.

(Signed) WILLIAM THORNTON URQUHART,
Clerk of the Council.

Wednesday March 11th 1874.

The Council met on this day at Government House, Fort Garry at 11 o'clock A.M.

Present, Honble. Messrs. Girard, Breland, Dubuc, Bannatyne, Fraser, Hamilton, Delorme, MacKay, Bown and Kennedy, His Honor the Lieutenant Governor presiding.

The Commission appointing His Honor the Lieutenant Governor and the Honble. Mr. Justice McKeagney and the Honble. Mr. Justice Bétournay,[1] Commissioners, *dedimus potestatem*, for administering the Oaths of Office and Allegiance in the North West Territories, was then read.

His Excellency the Governor General's Commission appointing Honble. Joseph Royal, Pierre Delorme, Walter R. Bown, James McKay and William N. Kennedy was read.

The new Oath of Office as prescribed by Order in Council, dated Ottawa October 1st. 1873 was administered to all the Members present and the Oath of Allegiance to Hon. Messrs Delorme, Bown, McKay and Kennedy—The oaths were administered by Hon. Justice Betournay.

[1] Of the Court of Queen's Bench of the Province of Manitoba. They were both associates of Chief Justice E. B. Wood in the Lepine Trial.

The new Oath of Office thus taken was substituted for the one taken by Members on Sept. 4th 1873 as declared by Order in Council dated Oct. 1st 1873, before referred to, by which it is stated that the following form of Oath will be and is thereby substituted for the form of Oath of the Members of the Council of the North West Territories, adopted by the Order in Council of 6th August last.

His Excellency the Governor General's reply to the address of Council was read.

The Commission appointing Justice of the Peace was read.

His Honor the Lieutenant Governor then addressed the Council, referring to the principal topics upon which he desired to obtain their advice, and suggesting the order in which business should be taken up.

The first subject taken up was that of Postal Communication. A telegram from the Honble. the Postmaster General was read in which the opinion of Council was asked in reference to this subject.

Honble. Messrs. Breland, Bannatyne, Hamilton and MacKay, were appointed a Committee to report to Council on the subject of Postal Communication.

Honble. Messrs. Girard, Fraser, Hamilton and Bannatyne, were appointed a Committee to report to Council in reference to the framing of an address to the Governor General in Council containing a remonstrance against the delay which has occurred in obtaining any information concerning His Excellency's pleasure touching certain Acts and Resolutions of Council.

Honble. Messrs. Breland, Dubuc, Hamilton and MacKay, were appointed a Committee to report to Council, as to what steps should be taken to prevent the importation of Liquor, and to consider the working of the Liquor Law, and to suggest any improvement therein.

Council adjourned until 2 P.M. on Thursday, March 12th.

(Signed) WILLIAM THORNTON URQUHART,
Clerk of Council.

Thursday March 12th. 1874.

Council met at 2 P.M.

PRESENT

Hon. Mr. Girard,
" " Breland,
" " Dubuc,
" " Bannatyne,
" " Fraser,
" " Hamilton,
" " Bown,
" " McKay,
" " Kennedy.

His Honor the Lieutenant Governor presiding.

The Committee on Postal Communication made their Report which was adopted.

The following Resolution of Council, based thereon, was passed.

In reply to a telegram from the Post Office Department expressing a wish that the N. W. Council should express their views as to the extent and probable cost of Postal Service desired in the N. W. Territories,[1] and also as to the best practicable mode of providing for the performance of the same.

Council have the honor to report for the information of His Excellency the Governor General in Council.

1. That they regard the establishment of Postal Communication in the N. W. Territories as of vital importance, not only because it is highly desirable that regular information should, from time to time, be received as to the progress of events in the North West, but also because the establishment of such Postal Communication would do much to encourage Immigration and hasten on the settlement of the North West.

2. Council are of opinion that, to commence with, the service should consist of eight trips per annum each way.

3. The route should be from Fort Garry in the Province of Manitoba to Fort Edmonton in the North West Territories, by way of the following centres of Settlement and existing population, viz, Fort Ellice, Qu'Appele, Fort Carlton, Fort Pitt and Victoria Settlement.

4. The time occupied in the journey would probably be about 39 days—see Appendix A.

[1] A regular mail route was inaugurated as far as the Saskatchewan in 1876. The contractor was Hon. James McKay.

5. The question of cost is one in relation to which it is difficult to arrive at once at a correct conclusion; but it is probable that the service could be performed for $18,000 per annum, or about that sum. The receipts would, no doubt, at first be comparatively insignificant, but would in all probability increase with great rapidity, while the advantage derived from the service, in other ways, would, as before said, be very considerable.

6. The Council recommend that tenders should, without delay, be asked for, for the performance of the Mail Service required.

APPENDIX A.

	Days.	Miles.
Fort Garry to Fort Ellice	10	220
Fort Ellice to Qu'Appelle	5	110
QuAppelle to Carlton	10	220
Carlton to Fort Pitt	6	167
Fort Pitt to Victoria	5½	122
Victoria to Edmonton	2½	71
	39	910

APPENDIX B.

Probable cost of Mail Service referred to in Appendix A.

39 days @ $16 per day—$624 per trip 16 trips per annum i.e. eight trips each way—$9,084 per annum, or say in round numbers—$10,000.

In Summer the service, each way, would be performed by two men and four horses. In Winter two men with Dog Sleds would be required.

The Committee appointed to frame an Address to His Excellency the Governor General, made their report, which was adopted.

The following resolution of Council based thereon, was passed:

Resolved, That the Council of the North West beg respectfully to represent to His Excellency the Governor General in Council

That the Council met on Sept. 4th 1873, and sat for some days, giving their diligent attention to such matters in con-

nection with Her Majesty's North West Territories as appeared to them to require immediate action—; finally transmitting to Ottawa, for His Excellency's approval, copies of the following Acts, Resolutions and Minutes of Council, viz.:

Resolution respecting Indian Treaty
" " Survey of land
" " The Indian Commission
" " Military Force in the N.W.T.

An Act appointing Coroners.

Resolution respecting administration of Justice, Collection of debts.

Resolution respecting Transportation of Liquor.
" " Masters and Servants Act.
" " Funds for use of Council.
" " Fisheries of the N.W.
" " Clerk of the Council's salary.
" " Fees for Justices of the Peace.
" " Expenses of Constables & Witnesses.
" " Criminal Statutes.
" " Postal Communication.

Council regret that they have not as yet been advised in relation to His Excellency's pleasure concerning these subjects, the urgent importance of which, is, day by day, becoming more and more evident, they therefore, beg most respectfully, but, at the same time, most earnestly, that His Excellency's views in reference to these subjects may be made known to them without delay.

They feel that the affairs of the North West Territories are growing daily in importance and that any delay in dealing with them may be, and probably will be, attended with unfortunate results.

The Council are aware that exceptional circumstances may during the past few months, have prevented that prompt action which they trust will, in future, characterize the dealings of the Privy Council with North West affairs.

Sensible as they are of the great importance of the duties which they are called upon to perform, and earnestly desirous, as they are, to discharge those duties loyally and efficiently, the Council feel that they will be unable to do so, if matters which they believe to be of urgent importance, and which they have taken occasion to represent as such, be permitted to remain altogether unnoticed for a period of six months. They there-

fore deem it their duty most respectfully to call the attention of His Excellency in Council to this important subject.

Committee on the Liquor Law &c., &c., reported and asked, through their Chairman, Honble. Mr. Dubuc, leave to sit again.

The subject of Indian affairs was then taken up and some communications read.

A committee consisting of the Honble. Messrs. Girard, Breland, Bannatyne, Hamilton, McKay, Bown and Kennedy, was appointed to report on Indian Affairs in all their bearings, the question of American Traders in the North West and the Military and Police question.

Honble. Messrs. Girard and Dubuc were appointed a Committee to consider and prepare, with the assistance of the Secretary of the Council a Bill providing for the appointment of Constables, and the amendment of the "Poisons Act" in accordance with the instructions of the Minister of Justice.

Council adjourned until 11 A.M. on Saturday, March 14th.

(Signed) W. T. URQUHART,
Clerk of the Council.

Saturday March 14th 1874.

Council met at 11 A.M. The Lt. Governor presiding.

PRESENT:

Honble. Mr. Girard,
" " Breland,
" " Bannatyne,
" " Dubuc,
" " Fraser,
" " Hamilton,
" " McKay,
" " Kennedy.

The Committee on the Liquor Law &c., reported to Council, and the following resolution, based upon their Report was passed.

Resolved, That in the opinion of Council the Customs Act of the Dominion 36 Vict. Chap. 39, should be amended so far as related to its second clause, by the introduction, after the words, "Declare the same forfeited and cause them to be des-

troyed" of the following paragraph: "and any officer, or non-commissioned Officer of Dominion police, or any policeman "acting under their orders, shall, upon reasonable ground of "suspicion, have the right to search any houses, waggon, cart, "tent, boat, canoe, or any other building, vehicle, or place, in "which they believe spirits, strong waters or spirituous liquors "to be concealed or stored."

Resolved, That the Act in question should be further amended so that, if it shall be proven upon credible evidence, that any person or persons, have had in their possession, or shall have sold, bartered, or given away, any spirits, strong waters, or spirituous liquors of any kind in the N. W. Territories, without a special permission from the Lieutenant Governor, they shall be liable to be punished therefor, although no spirits, strong waters &c. &c. may be found in their possession.

In this connection Council recommend that 25 Dominion Policemen be sent to Fort Ellice, and 50 more to Fort Qu'Appelle, immediately, with instructions to prevent the introduction of liquor into the N. W. Territories, and that they shall be ordered to watch all roads leading Westward within a reasonable distance of points; and that the Minister of Justice be communicated with, at once, in reference to this subject.

The Committee appointed to consider the Amendment of the "Poisons Act" and the preparation of an Act providing for the appointment of Constables, reported.

The Council then, being in legislative session, the following Acts were read at length and passed.

An Act to amend an Act entitled the "Poisons Act."

Whereas the currency of the Dominion of Canada is a decimal one, and the fine imposed for any infringement of the Poisons Act, as passed by this Council on the 10th March 1873, is in Sterling Currency, therefore,

Be it enacted that the Poisons Act be amended by the introduction of the words "Twenty-five Dollars" in lieu of the words "Five Pounds Sterling," as the amount to be inflicted for any contravention of the Act in question.

An Act providing for the appointment of Constables.

Whereas it is expedient that Justices of the Peace in the North West Territories shall have power and authority to appoint Constables for the due enforcement of the law and the preservation of the Public Peace, therefore,

1. Be it enacted, that any Justice of the Peace in the North West Territories may name and appoint one or more persons to be Constables and Peace Officers for the enforcement of the Law and the preservation of the Public Peace.

2. Every person so appointed shall faithfully perform the duties of the office for which he is so appointed for the space of one year, previous to expiration whereof the said Justice of the peace shall appoint other persons as Constables in their stead; provided always that any person, or persons, who have thus served for one year may be re-appointed, and the Justice of the Peace may increase or diminish the number first appointed, as to them appears most for the public safety.

3. But no such appointment shall be valid in the case of a civil or military officer, or any person in Priest's orders, or in the profession or practice of physic or surgery, or any school master, or any person not of full age.

4. That before entering upon the duties of their office, all such Constables shall take and subscribe to the following Oath, which shall be administered to them and each of them by the Magistrate by whom they are appointed.

Form of Oath.

I swear that I shall, until lawfully discharged from my office of Constable in the N. W. Territories, be always ready to serve and execute all legal writs, or warrants, and to maintain public peace and security: and that, I shall, to the utmost of my ability, obey all laws and all lawful authorities within and for the said N. W. Territories, and use my best endeavor to induce all others to obey the same, so help me God.

Moved by Honble. Mr. Kennedy, seconded by Honble. Mr. Hamilton, and

Resolved, That the Council respectfully urge upon the Privy Council the necessity that exists, for the establishment, without delay. of the necessary machinery for the enforcement of the Criminal Law, and the collection of debts in the North West.

They, therefore, renew their recommendations and would suggest that Stipendiary Magistrates be appointed, stationed at Qu'Appelle and Fort Edmonton, and that a resident Judge with powers of the Queen's Bench, be appointed to be stationed at Fort Carlton. They would recommend that civil cases should be tried before such Judge without the intervention of a Jury with an appeal in cases over $500, to the Queen's Bench

of Manitoba, and that for criminal offences of the graver kind, a simple machinery should be provided for the selection of Jurymen from the Country and existing settlement. Council represent the expense of bringing criminals and witnesses from the North West for trial in Manitoba, would be so great as, practically, to prevent Justice to be enforced.

The Council submit that the cost of administering Justice in the North West under the present system, will be much greater than would be incurred by the system they propose.

The Council are of opinion, however, that offences in the North West, within defined Districts within a reasonable distance from Manitoba, might continue to be heard in that Province. Council desire to express the opinion that any person appointed to fill the office of Stipendiary Magistrate in the North West Territories should be familiar with the North West Country and its people—Council are of opinion that such persons can be found in the Territories or in the Province of Manitoba.

Honble. Mr. Girard, on behalf of the Committee on Standing Orders &c. &c., reported progress and asked leave to sit again—Leave was granted. The Committee on Indian Affairs made a partial report, and asked leave to sit again, which was granted.

The following is the partial report received and adopted by Council:

The Council of the North West respectfully represent to His Excellency the Governor General in Council, that:

1. A Treaty should be made this year with the Indians inhabiting the Territory extending from Fort Ellice up Qu'-Appelle River to the Elbow of the South Branch of Saskatchewan following down the South S. Branch to its mouth above Fort à La Corne, taking in all the Country, the waters of which flow in the Assiniboine;—down the Assiniboine River to Fort Pelly, down the Shell River, down the Assiniboine to Fort Ellice on to Moose Mountain S.W. to the 49th parallel W. along the boundary to 110 degrees West; then due North to Red Deer River, down the Saskatchewan to the Elbow of the South Branch.

2. That a Treaty should be made this year with the Indians inhabiting the Territory within the following limits: From 10 Miles North of the North Saskatchewan, up that River to Fort Pitt (still keeping ten miles North of the River) then due South to the Eye Brow Hills, 5 miles above Junction of Red

Deer River and the South Branch—From this South to the Bow River, down the Bow River to the Elbow of the South Branch of the Saskatchewan.

All the Indians of the East and South sides of the Saskatchewan (say about 2,500) to meet the Commissioners at Qu'-Appelle.

All Indians of the North side of the South Saskatchewan, from the Deer River and the Eagle Hills to the Mouth of the Battle River 10 miles N. of the North Branch, to go to Fort Carlton.

Indians from the Birch Hills, Buffalo Cart Plains and Quill Lake may go to either Carlton or Qu'Appelle.

Indians on each side Battle River, and 10 miles North of the North Branch shall go to Fort Pitt, 5,000 Indians will probably be included in the Treaties made at Fort Carlton and Fort Pitt.

Council also recommend that, if possible, a Treaty should be made with all Indians living in the Territory lying along the Saskatchewan between Fort a La Corne to Grand Rapids including 10 miles along the North Branch of the River, then South East along the West Shore of Lake Winnipeg to the Mouth of the Little Saskatchewan to the point crosses by the Manitoba Post Treaty, and so S.W. to the Assiniboine.

The Commissioner negotiating this Treaty might meet the Indians at Fort Pelly, Fort à la Corne and the Pas.

Probably about 1,500 Indians would be included in this Treaty.

The first meeting should take place at Qu'Appele not later than July 15th.[1]

The second meeting at Carlton about August 15th.[2]

The third meeting at Fort Pitt about Sept. 15th.[3]

The quantity of provisions sent to each of the two former points should be 400 bags flour, 50 oxen, 6 chests tea, 400 lbs. tobacco.

To Fort Pitt there should be sent 450 bags flour, 50 oxen, 7 chests tea, 450 lbs. tobacco.

The total number of Indians included in all these Treaties proposed would be about 9,000, Plain Crees, Chippawas and Assiniboines.

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[1] The conference began on September 8; the Treaty was concluded on September 15th, 1874.

[2] The Commissioners met the Indians in the vicinity of Fort Carlton in August 1876, and concluded a treaty with the Plain and Wood Crees on the 23rd and with the Willow Crees on the 28th.

[3] The Treaty at Fort Pitt was concluded September 9, 1876.

The Commissioner who goes to Fort Pelly, Fort à la Corne and The Pas should visit those points sometime in the month of August 1874.

After the adoption of the above Report Council adjourned until 2 P.M. of Monday March 16th.

March 16th 1874.

Council met at 2 P.M. The Lieutenant Governor presiding.

PRESENT

Honble.	Messrs.	Breland,
"	"	Bannatyne,
"	"	Dubuc,
"	"	Fraser,
"	"	Hamilton,
"	"	McKay,
"	"	Bown,
"	"	Kennedy.

The Committee on Indian affairs presented their Report on Indians and other matters which they were appointed to consider, and the following "Confidential Minute of Council," based upon the said Report was adopted by the Council.

1. Council recommend that steps be taken to secure the arrest of the murderers at Cypress Hills, of unoffending Indians, if in our[1] Territory, or their extradition if in the United States.

2. That a sufficient force be sent to secure the collection of the Customs duties and the repression of the trade in liquor by the American traders and outlaws in the Belly and Bow River Districts, and that such force should consist of such a number of trained men as the Military authorities are of opinion will be necessary to reduce the outlaws to order estimated at 300 men in view of the possibility of their effecting an Indian Alliance, and of their having fortified posts.

3. That in view of the danger of an Indian War and of International complications which might embroil, at any moment the British and American people in war, the Privy

[1] In the previous year some whiskey traders from the United States had massacred some Assiniboine Indians. In 1875, Major Irvine sent to Montana to arrest the murderers, brought some of the ringleaders before the Fort Benton authorities. Owing to lack of evidence they were discharged. Three of the party, James Hughes, Philander Vogel and George Bell were taken north of the boundary and taken to Winnipeg for trial.

Council should ask that a British Regiment should be stationed and maintained in the North West to act in support of the Civil authorities and in concert with the Dominion forces.

4. That the Council are of opinion that the existing Provisional Infantry and Artillery are of urgent necessity.

5. The Council recognize the value of the Police force, but suggest that they should be placed under more rigid discipline than the mere imposition of fines and dismissal will secure.

6. That while the Council advise the foregoing steps, they yet feel that they will not exceed their duty if they represent that it is necessary that a Military Force should be maintained in the Province of Manitoba.

The following Resolution in reference to the conduct of Indian affairs was then passed:

1. That this Council be entrusted with the duty of advising as to the Tribes with which Treaties ought to be made and as to all matters affecting Indian policy in the North West Territories.

2. That the Chief Indian Agent ought to be charged with the duty of seeing that the provisions of the several Indian Treaties are carried out.

3. That sub-agents should be appointed, one or more for each Treaty District according to its extent.

4. That Treaties should be made by Commissioners specially charged with the duty, a portion of whom should be living in the North West Territories or Manitoba and familiar with Indian Character and with Indian language and habits of thought. Such Commissioners should, after the conclusion of the Treaty, have nothing to do with matters of administration arising therefrom.

5. That in the event of the views of Council being acceded to, a Standing Committee be appointed, presided over by the Lieutenant Governor, under whose instructions the Chief Indian Agent should act, and with whom he should confer, on all matters affecting policy, and on all matters of dispute, and by whose advice he should be guided.

6. The Council cannot fail to recognize the importance of the Treaty made last October,[1] at the North West Angle, with the Indians of the Lake District, which they believe to have been most satisfactory and just, both to the Indians and the white man. The Council are glad to learn that the former are well satisfied with the provisions of the Treaty.

1 October 3, 1873.

Resolved, That in view of the action of the Dominion Government in reference to aid to Indian Schools, the Council are gratified to notice this indication of the interest felt in the welfare of the Indian population by the Dominion Authorities, but respectfully suggest that the average number of pupils required by the Order in Council, to be attendant at any School in order to obtain Government assistance is too large and that an average attendance of twenty-five pupils should be considered sufficient.

The Lieutenant Governor having asked the advice of Council as to the best locality for a Reserve in the North West Territories for the Sioux now residing in and about Portage La Prairie in the Province of Manitoba, Turtle Mountain and Fort Ellice in the North West Territories, Council recommend that, for the better preservation of peace, and placing a sufficient distance between their Reserve and that of the Chippewas, and also from the new Settlements forming on the Western Frontier of Manitoba, a Reserve for the said Sioux should be set apart on the West Bank of the Little Saskatchewan where that River falls into the Assiniboine and along the North Bank of the Assiniboine, up that River, embracing a sufficient quantity of land, to each 80 acres.[1] The land is not adapetd for large farms or for white Settlement, being, generally, hilly, stony, and with little timber for building purposes. At the same time in the neighbourhood, are facilities for hunting and fishing, which would be of value to the Indians. It would also afford them small farms.

Resolved, That in view of the fact that the Gentlemen Commissioned as Justices of the Peace in the North West Territories have had no opportunity of becoming acquainted with the Laws which now apply to the North West, the Council recommend that a Manual containing all such Acts and Orders of Council as relate to the Government of the North West Territories, together with all Acts of the Dominion of Canada, whether relating to the Criminal Laws or otherwise, which apply to the N. W. Territories and all Acts passed by this Council, should be prepared and a number printed, in both French and English for the use of the said Justices of the Peace and other officials. That the Secretary of the Council be asked to prepare such a Manual and that he be paid a reasonable sum for doing so, and seeing that a sufficient number of copies be properly and correctly printed and issued.

[1] This is Indian Reserve 58, in Township 10, 23 W. 1.

Resolved, That in the opinion of Council, a Proclamation should be issued by the Lieutenant Governor containing the names of the Justices of the Peace appointed in the North West Territories and calling upon the inhabitants to respect their authority. Honble. Messrs. Hamilton and MacKay to be a Committee to determine within what Districts such proclamation should be distributed.

Resolved, That in the opinion of Council, a Messenger should be sent in advance of any force of Military or Police going into the N. W. Territories to explain its object to the Inhabitants.

A Petition to Council from one Gordon Gordon was presented,[1] but its consideration was deferred until next Meeting of Council.

Resolved, That the Honble. Messrs. Clarke, Dubuc, Hamilton, Bown and Kennedy be appointed a Committee to consider as to Indian Orphan Children attending Schools in the North West and any suggestion to be made in connection therewith; and further, if they find it practicable, to frame a Draft of an Act for submission to next meeting of Council, to regulate the matter, and to define the mode in which the children should be adopted and the age at which the period of apprenticeship should cease.

The Council then adjourned.

Monday June 1st. 1874.

Council met at 11 o'clock, A.M. His Honor the Lieutenant Governor presiding.

PRESENT

Hon. Messrs.

Bannatyne,
Breland,
Dubuc,
Schultz,
Boyd,
Hamilton,
Fraser,
Royal,

[1] Relative to alleged misconduct of Attorney General Clarke.

Delorme,
Bown,
Kennedy,
McTavish,
Tait.

Honble. Mr. Schultz took the oath of office as prescribed by Order in Council October 1st. 1873.

Honble. Messrs. Boyd, Royal, McTavish and Tait were sworn of the Council, the prescribed oaths being administered by Lt. Col. Osborne Smith.

The Minutes of the last meeting of Council were read and approved.

The Governor then addressed the Council stating what had been done by the Dominion Government in reference to the recommendations of the North West Council, and what Legislative action had been taken by the Dominion Parliament in connection with North West affairs.

Moved by Honble. Mr. Schultz,
Seconded by Honble. Mr. Kennedy &

Resolved, That the Council of the North West having been informed[1] that the Boundary Commission is about to proceed Westward and being aware of the jealousy with which their advance is likely to be viewed by the Indians, and also, of the feelings of animosity which the Sioux entertain towards the American portion of the Survey, and being also of opinion that if the Indians were thoroughly informed as to the real objects of the Survey they would not attempt to impede its onward progress, the Council recommend that Commissioners should precede the Survey to explain matters to the Indians, and also that a competent person should accompany the Survey for the same purpose.

Moved by Honble. Mr. Royal,
Seconded by Honble. Mr. McTavish &

Resolved, That the Dominion Government be asked to take the proper steps for demanding from the United States author-

[1] The Boundary between the United States and British North America was settled by the Treaty of Ghent, 1814. Up till 1872, the boundary had not been marked between the summit of the Rocky Mountains and the North West Angle of the Lake of the Woods. In this year British and United States Commissioners began operations. The British Commissioner was Major Cameron, R.N. During 1873, the Commissions marked 408 miles of the boundary. On June 20, 1874, work was resumed from Wood Mountain westward. The work was completed August 27, 1874 The Indians proved to be friendly.

ities the extradition of certain parties charged with the murder of Indians, in the vicinity of the Cypress Hills, last year.

Moved by Honble. Mr. Schultz,
Seconded by Honble. Mr. Bown

That in view of the unsettled state of the Cree and Blackfeet Indians, the Council of the North West Territories recommend that the first Treaty advised by the Council, otherwise known as the Qu'Appele Treaty, be made, and that Messengers be sent to the rest of the Crees and the Assiniboines, informing them of the Treaty and of the intentions of the Govcrnment in regard to them, before the occupation of their Country by the Mounted Police.

Moved in amendment by Honble. Mr. Bannatyne, seconded by Honble. Mr. McTavish, and

Resolved, That Council desire most urgently to recommend that the first Treaty suggested by them at their last Meeting, (Viz. to be negotiated at Qu'Appelle) should be made with as little delay as possible, and that the Indians should be notified to assemble on the 1st of August for that purpose—Council are of opinion that this is a matter which admits of no delay and is of vital importance.

Council would be glad if the other Treaties suggested by them could also be made this year if possible.

Council are of opinion that a Messenger should precede the Police Force to explain the object of their coming into the North West Territories, and to inform them that a Treaty will be made with the Indians of the Qu'Appele region this year and also with the other Indians as soon as practicable.

A vote was then taken with the following result:

For the amendment: Hon. Messrs. Bannatyne, Breland, Dubuc, Boyd, Hamilton, Fraser, Royal, Delorme, Kennedy and Tait. Against the amendment—Honble. Messrs. Schultz & Bown.

The amendment was declared carried.

Moved by the Hon. Mr. Royal,
Seconded by Hon. Mr. Bannatyne &

Resolved, That Council are of opinion that it is of importance that the members of the Privy Council for Canada should be thoroughly well informed as to all matters in connection with the North West Territories, the nature and resources of the Country and the character of its people—They therefore urgently request that one or more members of the Privy Coun-

cil be asked to visit the North West this year, feeling well assured that the interests of the Dominion at large would be advanced by their so doing.

Moved by Honble. Mr. Hamilton,

Seconded by Honble. Mr. Tait, and

Resolved, That those Minutes and Resolutions of Council, which have, thus far, not been replied to or acted upon by the Dominion Government, be enumerated, and His Excellency's pleasure in reference thereto be respectfully asked.

Moved by Honble. Mr. Hamilton,

Seconded by Honble. Mr. Dubuc, and

Resolved, That Council are of opinion that the Metis and other Settlers in the North West, on the Saskatchewan, on the Qu'Appele and at other points where Settlements have been formed, should be informed, that the Land Policy of the Dominion Government, as set forth in a dispatch from the Minister of the Interior (No. 27) dated August 20th 1873, and communicated to Bishop Grandin in a Dispatch (No. 80 N.)[1] dated 22nd Sept. 1873, shall be extended throughout the North West.

The Petition of Gordon Gordon, relative to the alleged misconduct of Hon. Mr. Clarke, was read, together with the Affidavits supporting the same. The Secretary was instructed to furnish Mr. Clarke with a copy of the petition and the matter was laid over until next Session.

The Council then adjourned until 10 o'clock A.M. of the following day, June 2nd. 1874.

Tuesday June 2nd, 1874.

Council met at 10 A.M.

His Honour, the Lieutenant Governor presiding.

Present, Honble. Messrs. Bannatyne, Dubuc, Hamilton, Breland, Schultz, Boyd, Fraser, Bown, Royal, Delorme, Kennedy and Tait.

Moved by Hon. Mr. Hamilton,

Seconded by Hon. Mr. Royal, and

Resolved, That in view of the absolute necessity that exists for providing some means for the enforcement of the Criminal

[1] The system of surveying, the policy of dealing with the public land in Manitoba and of distributing 1,400,000 acres to the half-breeds was adopted by the Dominion Government in 1871. On the completion of the block survey of Manitoba in 1873 the surveys were extended to the North West Territories. The allotment of land was extended to half-breeds resident in the North West Territories at the time of the transfer no less than in Manitoba.

Law of the Dominion and the protection of the Civil Rights in the North-West Territories, Council appoint Honble. Mr. Girard, Clarke, Dubuc, Hamilton, Schultz, Bannatyne and Royal a Committee to prepare a Bill to provide for the creation of a Court of competent jurisdiction in the North-West Territories, to be presided by one Judge who shall decide all Civil Cases without the intervention of a Jury, whose decisions in all cases where the amount exceeds $500, shall be liable to review of the Court of Queen's Bench of Manitoba. Such Bill to be submitted to Council at its next Meeting, whether regular or emergent, in order that, if passed by Council, the approval of the Privy Council thereto may be sought without delay.

The Committee appointed to consider the case of Indian Children attending Schools in the North-West, reported two Bills, through their Chairman, Honble. Mr. Dubuc. The Bills referred back with instructions to the Secretary of the Council to enlarge their Preambles and have copies of the Bills printed (in English and French) for the use of Members.

Moved by Honble. Mr. Royal
Seconded by Honble. Mr. Boyd, and

Resolved, That in view of all the informations received from various sources the Council of the North-West are decidedly of opinion that a force of[1] 300 men (even were they a thoroughly organized force) is decidedly inadequate for the purpose of enforcing law and order in the North-West Territories, or maintaining peace therein. From what they have heard, Council are led to fear, that the consequences of sending Force into the Territories are likely to be disastrous, and may result in bloodshed and serious trouble. The presence of American Traders in the North-West Territories wherein they set all British law at defiance, is calculated to bring British and Canadian authority into contempt, and may, not improbably, lead to serious international difficulties.

The Council, therefore, must once more repeat the opinion expressed at their Meeting in October last, that it would in all respects, be advisable that a British regular Regiment should be stationed in the North-West, and Council urgently desire to impress this upon the Dominion Government, and ask them to represent this state of affairs to the Imperial authorities.

A Communication from Mr. McArthur, was read, concerning the Indian Reserve, at the Mouth of the Winnipeg River.

[1] The Royal North West Mounted Police. The garrison at Fort Garry was increased to 300 at the time of the Modoc war in the United States.

The Secretary was instructed to take measures for ascertaining what are the facts in connection with the matter referred to by Mr. McArthur, and to prepare a Report for the next Meeting of Council.

A letter from Messrs. Kenny and Luxton was read, asking that a reporter might be present during the Legislative Session of Council. After some discussion it was agreed that the matter should lie over, to be the first business taken up on the first day of the next Session.

Honble. Messrs. Dubuc and Royal were appointed to frame Rules with regard to private Bills and the mode of giving notice of the intention to apply therefor.

The Council then adjourned.

(Signed) FRANK G. BECHER.[1]
Acting Clerk of N. W. Council.

Tuesday, December 3rd 1874.

Council met at 11 o'clock A.M.

His Honor the Lieutenant Governor presiding.

Present: Honble. Messrs. McKay, Boyd, Fraser, Royal, Kennedy, Dubuc, Girard, Breland, Hamilton, Bannatyne, Bown and McTavish.

The letter received from Messrs. Luxton[2] and Kenny, at the last Meeting, requesting that a Reporter be present at the Meetings of the North-West Council was considered and the subject postponed.

Moved by Honble. Mr. Girard

Seconded by Honble. Mr. Hamilton, and

Resolved, That Council are desirous of expressing their hearty appreciation of the services of the late Mr. Urquhart, Secretary of the North-West Council, and while unanimous in

[1] Frank G. Becher had been appointed Private Secretary to the Lieut. Governor on September 1, 1873 at a salary of $1,000.

[2] William Fisher Luxton was editor and one of the founders of the Manitoba *Free Press*. See p. 36. The *Free Press* made its first appearance as a weekly November 9, 1872. It became a daily the following year. Mr. Luxton was born in Devonshire, England, December 12, 1844. He came to Canada in 1855. He founded the Strathroy *Age* and became Editor of the Seaforth *Expositor*. In 1874, he was an unsuccessful candidate for position of Mayor of Winnipeg. In December, 1874, he was elected member for Rockwood in the Manitoba Legislature. He was a Liberal. He advocated a Prohibitory Liquor Law; purely secular national education; the establishment of a complete municipal system in Manitoba; the abolition of the French language in the Legislature and Law Courts; the introduction of voting by ballot in Legislative and Municipal elections. For a reference to Mr. Luxton see Hughes, *Father Lacombe*, pp. 235-7.

testifying to his having performed those services in a most careful and efficient manner regret deeply the loss they have sustained by his sudden death.

The painful circumstances of his decease bring the matter more prominently before them, his wife having been at the time of his death deranged and under the care of Sisters of Charity at St. Boniface, while his only child, a boy, of some ten years was left entirely destitute and is the recipient of the charity of Major Peebles. The Council desire, therefore, to bring the case under the attention of the Dominion Government inasmuch as Mr. Urquhart was an officer of that Government and was sent to Manitoba by them from Ontario to discharge duties in connection with the North-West Territories.

Moved by Honble. Mr. Dubuc

Seconded by Honble. Mr. Royal and

Resolved That the Act to regulate the relations existing between Religious Institutions and Children committed to their care be now read a first time and stand for second reading at next Meeting.

Moved by Honble. Mr. Royal,

Seconded by Honble. Mr. McKay and

Resolved That the Act to regulate the condition of Orphan or Destitute Children be now read a first time and stand for second reading at the next Meeting.

Honble. Mr. Girard introduced certain Bills entitled as follows:

1. An Act to incorporate "Les Révérends Pères Oblats" in the Diocese of St. Albert.

2. An Act to incorporate the Roman Catholic Bishop of St. Albert.[1]

3. An Act to incorporate the Roman Catholic Bishop of McKenzie and Athabaska.[2]

4. An Act to incorporate "Les Révérends Pères Oblats" in the Vicariat Apostolique of Athabaska and McKenzie.

5. An Act to incorporate the Sisters of Charity in the North-West Territories.

But as no Petitions therefore were before the Council, Mr. Girard withdrew them.

Honble. Mr. Girard as Chairman presented a Report of the Committee as to Rules, Orders and Forms of proceedings of the North-West Council which was received and the further consideration thereof postponed to the next Meeting.

[1] Bishop Vital Grandin.
[2] Bishop Henri Faraud.

Moved by Honble. Mr. Royal
Seconded by Honble. Mr. Boyd and
Resolved, That a Committee to take into consideration the question of Highways through the North-West Territories be appointed composed of the following members: Honble. Messrs. Bown, Bannatyne, Breland, McKay and Hamilton.

Moved by Honble. Mr. Girard
Seconded by Honble. Mr. Bown and
Resolved, That a Committee to take into consideration the most suitable region to call the Indians together for the purpose of negotiating Treaties with them be appointed composed of the following Members: Honble. Messrs. Hamilton, McKay, Boyd and Breland.

The Council then adjourned until 2 o'clock P.M. of the following day, December the 4th, 1874.

Friday, December 4th, 1874.

Council met at two o'clock P.M. His Honor the Lieutenant Governor presiding.

Present: Honorable Messrs. Schultz, McKay, Dubuc, Kennedy, Fraser, Hamilton, Bown, Breland, Royal, Boyd, Bannatyne, Girard.

Moved by Honble. Mr. Girard
Seconded by Honble. Mr. McKay and
Resolved, That the Council referring to their Resolution of the 12th March 1874, again renew their recommendation as to the necessity and advantage of establishing Postal Communications with Fort Edmonton.

Moved by Honble. Mr. McKay
Seconded by Honble. Mr. Breland, and
Resolved, That the Council deeply regret that the Privy Council has not been pleased to communicate their approval or disapproval of the Legislation and many resolutions adopted by Council at their Meetings held on the 4th, 8th, 11th and 13th of September 1873, March 11th, 12th, 14th, 16th, 1874, and June 1st and 2nd 1874, and they respectfully represent that such long delay has paralyzed the action of the Council.[1] The Council have given their best attention to the weighty in-

[1] A copy of every such law made by the Lieutenant Governor of the said Territories and his Council shall be mailed for transmission to the Governor in Council within ten days after its passing, and may be disallowed by him at any time within two years after its passing. 36 Vict. Ch. 34.

terests entrusted to them and have acted with a sincere desire to contribute to the advancement of the North-West Territories and the establishment of Law and Order, but they represent that to enable them to discharge their important mission they must be sustained by the prompt action and active support of the Government of Canada.

On the Motion of the Honble Mr. Hamilton The Bill entitled "An Act to regulate the relations between Religious Institutions and Children committed to their care" was read a second time and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain amendments, the Report and Amendments were adopted and the Bill was ordered to be read a third time at the next Meeting.

On the motion of the Honble Dr. Schultz, The Bill intitled "An Act to regulate the condition of Orphan or destitute Children" was read a second time, and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain amendments the report and Amendments were adopted and the Bill was ordered to be read a third time at the next sitting.

Honble Mr. Girard presented the following Petitions from

1. Revd. Father Vital Grandin as Bishop of St. Albert praying for the Incorporation of the Revd. Pères Oblats in the Diocese of St. Albert.

2. From the Right Revd. Vital Grandin Bishop of St. Albert, asking to be incorporated under the name "La Corporation Episcopale Catholique Romaine de St. Albert."

3. From His Grace the Archbishop of St. Boniface, asking for the Incorporation of the Right Rev. Henri Faraud as Bishop of the Diocese and Vicariat Apostolique of McKenzie and Athabaska.

4. From His Grace the Archbishop of St. Boniface, asking for the Incorporation of the Rev. Pères Oblats in Vicariat Apostolique of Athabaska and McKenzie.

5. From the Rev. Sister Hamel, Superior of the Sisters of Charity of St. Boniface, asking for the Incorporation of the Sisters of Charity in the North West Territories.

The above Petitions were received.

Moved by Honorable Mr. Royal

Seconded by Honorable Mr. Bown, and

Resolved, That a Committee on Private Bills be appointed composed of the following Members, Honorable Messrs Schultz, Dubuc, Girard, Kennedy, and Fraser.

Hon. Mr. Girard asked leave to introduce the following Bills:—

1. An Act to incorporate Les Révérends Pères Oblats in the Diocese of St. Albert.

2. An Act to incorporate the Roman Catholic Bishop of St. Albert.

3. An Act to incorporate the Roman Catholic Bishop of McKenzie and Athabaska.

4. An Act to incorporate Les Révérends Pères Oblats in the Vicariat Apostolique of Athabaska and McKenzie.

5. An Act to incorporate the Sisters of Charity in the North West Territories.

On the Motion of the Honble Mr. Girard the above Bills were referred to the Committee on Private Bills.

Honble Mr. Dubuc, Chairman of the Committee, appointed at the last Session to prepare Rules in regard to Private Bills, presented the Report of the Committee which was received and referred to the Committee on Private Bills.

The Rules, Orders and Forms of proceedings of the North West Council were also referred to the Committee on Private Bills for their Report. The Council then adjourned until 2 o'clock P.M. of Monday the 7th December 1874.

Monday 7th December 1874.

The Council met at 2 o'clock P.M., His Honor the Lieutenant Governor presiding.

Present: Hon. Messrs McKay, Schultz, Breland, Dubuc, Girard, Boyd, Bannatyne, Kennedy and Fraser.

On the motion of the Honorable Mr. Dubuc,

Seconded by the Honble Mr. Bannatyne, and

Resolved, That the Act entitled an Act to regulate the relations existing between Religious Institutions and Children committed to their care was read a third time and passed under the Title of "An Act to regulate the Relations existing between Religious Institutions and Children committed to their care". Said Act being as follows:—

An Act to enable Religious Institutions in the North West Territories to receive into their care and guardianship Children voluntarily entrusted to their care.

Whereas it is expedient that certain Institutions in the North West Territories should be enabled to receive into their care and guardianship children voluntarily entrusted to their care, and that the terms upon which children are so received should be properly defined.

Therefore Her Majesty has seen fit by and with the advice and consent of Her North West Council to enact as follows:—

I. It shall be lawful for the authorities of any School or Orphanage in the North West Territories, maintained as such by the Church of England and Ireland, the Roman Catholic Church ,the Canada Presbyterian[1] Church, the Methodist Church of Canada, or any other Protestant Church, to receive from the parents, or in the event of the decease of the parents, from the relations in charge thereof, any child under the age of fourteen years, for the purpose of supporting and educating such child.

II. Whenever such child shall be so received, the Institution receiving the same shall be bound to give proper nutriment, medical care, clothing and education to such child—and shall be bound to do so until such child shall reach the age of sixteen years—Provided always that during the whole term of such teaching and training the rights, powers of authority of the parents or guardians over such child shall cease, and shall be vested in and exercised by the Manager of the Institution having charge of the child.

III. Whenever such child shall be so received, it shall be duly explained to the parents or relatives placing such child in any such Institution that the Institution is bound to and will maintain and educate such child until arriving at the age or sixteen years, and that if such parents or relative voluntarily place such child in the said Institution, the parents or relatives shall be bound to leave such child under the care and guardianship of such Institution until the age of sixteen years unless such child shall be ordered to be given up to the parents or relatives thereof in manner hereinafter provided.

IV. In case any such institution refuses to give up such child at the demand of the said parent, or parents, such parent or parents may by application to a Stipendiary Magistrate after due notice of such application being given to the Institution, appear before

[1] The Canada Presbyterian Church by union on June 15, 1875 with the Presbyterian Church of Canada in connection with the Church of Scotland, the Presbyterian Church of the Maritime Provinces in connection with the Church of Scotland and the Presbyterian Church of the Lower Provinces became the Presbyterian Church in Canada.

such Magistrate to support the said application and if proved that the parent or parents are fit and proper person or persons to take charge of the child, then the said Magistrate may upon good and sufficient reason being shown, order the child to be restored to the custody and control of such parent, or parents.

V. It shall be the duty of any such Institution to keep a Register of all the children so received, the date and particulars of their reception, name, age, and particulars of their condition, their death or removal from such Institution, the nationality or tribe to which they belong, and transmit to the North West Council yearly in the month of January an abstract of such Register.

VI. This Act shall be known as "An Act to regulate the relations existing between Religious Institutions and children entrusted to their care."

On the Motion of Honble Dr. Schultz,

Seconded by Honble. Mr. Dubuc, and

Resolved, That the Bill entitled "An Act to regulate the condition of Orphan or Destitute Children" was read a third time and passed under the Title of "An Act to regulate the condition of Orphan or Destitute Children," said Act being as follows:

An Act to regulate the condition of Indian Orphan or Destitute Children, attending schools in the North West Territories.

Whereas certain Institutions are by voluntary contributions maintained in the North West Territories for the purpose of furnishing a home for children who may be deprived of their natural protectors, either by death, abandonment, or otherwise, and for the purpose of protecting such children from the effect of want and exposure to crime, and affording them educational training.

Therefore Her Majesty has seen fit by and with the advice and consent of Her Majesty's North West Council to enact as follows:

I. Any person in the North West Territories may bring before two Justices of the Peace or a Stipendiary Magistrate, any child apparently under the age of fourteen years that comes within any of the following descriptions, viz:

II. That is found wandering and not having any home or settled place of abode, or proper guardianship, or visible means of subsistence.

III. That is found destitute, either being an Orphan or having a surviving parent who is undergoing imprisonment, or who has deserted the said child.

IV. The Justices or Stipendiary Magistrates before whom a child is brought, coming within one of the descriptions mentioned in the preceding clauses, if satisfied, on enquiry, of the fact, and that it is expedient to deal with such child under this Act, may order him (or her) to be sent to any such Institution as may be willing to receive such child in conformity with the provisions of this Act.

V. On determining on the School to which the child shall be sent, the Justices or Magistrate shall endeavour to ascertain the religious persuasion to which the child belongs, and shall select a School conducted in accordance with such persuasion to which the child or its parents, or parent, belong or belongs, and the order shall specify such religious persuasion.

VI. If the child shall be utterly ignorant and shall have no knowledge of any religious persuasion, or belief, he (or she) shall be sent to such one of the above named Institutions as shall be situated nearest to the place whereat the said Order is made.

VII. The Order shall specify the time for which the child is to be detained in the School, being such time as to the Justices or Stipendiary Magistrate seems proper for the teaching and training of the child, but not in any case extending beyond the time when he (or she) attains the age of sixteen years.

VIII. During the whole time of such teaching and training, the rights, power and authority of the parents or guardians over such child shall cease, and shall be vested in and exercised by the Manager of the Institution having charge of the child. Provided always, that if at any time, it shall be proved by indubitable evidence before the two Justices and Stipendiary Magistrate, that the parent of the child is a fit and proper person to take charge of it and is able to do so, then the said Justices or Magistrate as aforesaid may, upon good and sufficient cause being shown restore the child to the custody and control of such parent, or parents.

IX. Whenever any such child shall be so received, the Institution receiving the same shall be bound to give proper nutriment, medical care, clothing and education to such child, and shall be bound so to do until such child shall reach the age of sixteen years.

X. It shall be the duty of any such Institution to keep a Register of all the children so received, the date and particu-

lars of their reception, name, age and particulars of their condition, their death or removal from such Institution, the nationality or Tribe to which they belong, and transmit to the North West Council yearly, in the month of January, an Abstract of such Register.

XI. This Act shall be known as "The North West Orphans' Act".

Moved by Honble Mr. Girard

Seconded by Honble Mr. Dubuc, and

Resolved, That the Council do go into a Committee of the whole on the Bills to incorporate the Roman Catholic Bishop of St. Albert. The Bill to incorporate Les Révérends Pères Oblats in the Diocese of St. Albert. The Bill to incorporate the Roman Catholic Bishop of McKenzie and Athabaska. The Bill to incorporate Les Révérends Pères Oblats in the Vicariat Apostolique of Athabasca and McKenzie. The Bill to incorporate the Sisters of Charity in the North West Territories; and the same being reported with amendments, the Council concurred therein. Resolved that the second reading be postponed until the next Session of Council.

Honorable Mr. Bannatyne Chairman of the Committee appointed at the last Meeting to prepare a report drawing the attention of the Privy Council to the interruption of highways through the North West Territories, presented the report of the Committee which was received and adopted, and is as follows:

The Committee appointed to report on Highways through the North West Territories respectfully beg to report that as already great inconvenience and interruption to Traffic through the North West Territories has been occasioned by Settlers and Squatters occupying the Highways established by usage obstructing them with fences and thus shutting off the watering places, Portages and River fords, request that the attention of the Dominion Government be respectfully directed to the matter, and it is urgently petitioned that the land now used as public road and as Portages and ways between navigable Rivers and sheets of water and as approaches to watering places in the North West Territories be at once set apart and located for highway and other public purposes before they are occupied by intending Settlers, in order to prevent the inconvenience above referred to.

Hon. Mr. Boyd chairman of the Committee appointed at the last Meeting to prepare a Report to be transmitted to the

Dominion Government as to the most suitable places to assemble the Indians of the North West Territories for the purpose of negotiating Treaties with them, the Report of the Committee was received and adopted and is as follows:—

The Committee are of opinion that the Section of Country[1] requiring immediate attention is that which comprises the rapidly growing Settlements of Prince Albert and Saint Laurent, and respectfully request that Treaties be made with the Indians inhabiting the above named region during the ensuing Summer.

At the same time the Committee would respectfully suggest that at a former meeting of Council on the 16th of March 1874, the matter was fully entered into and received the best attention and consideration of the Committee, then appointed to report on the same, all of whom had a personal knowledge of the Country and its requirements and their report was received and adopted by the Council and referred to the Privy Council for their consideration.

Honble. Dr. Schultz, Chairman of the Committee on Private Bills presented a Report of the Committee on the Rules in regard to Private Bills. The Report of the Committee was received and adopted and is as follows:

Your Committee has the honour to report the following Regulations and beg to submit them to the Council.

1. At the first Session of the Council in each year, there shall be appointed a Standing Committee on Private Bills, whose functions and duties shall for a year continue until a new Committee is appointed.

2. The Committee on Private Bills shall be composed of five members, three of whom shall form a quorum.

3. All Private Bills shall be introduced on Petitions stating the object of the Bill, and every such Petition shall be, at once together with the Bill, referred to the Committee on Private Bills.

4. A Petition for a Private Bill may be sent to the Council either in Session or in vacation. If in Session, the Committee shall consider the same and report at the next Meeting. If in vacation, the Secretary of the Council shall transmit the same to the Committee on Private Bills, and the Chairman

[1] Gabriel Dumont and some 200 Halfbreed families had come to Gabriel's Crossing near Duck Lake about 2 years previous to this date. Among them Dumont organized a government after the pattern of the buffalo hunts. It was the district of Lorne about Prince Albert which was the first in 1881 to have sufficient population to elect a representation to the N.W. Council.

shall cause the Petition and Bill to be examined by the Committee before the next Session, in order to report on the same on the first day of the Session.

5. Every Private Bill shall receive three several readings on different days previous to being passed, except when the Council shall have sufficient reasons to do otherwise.

6. Every Private Bill shall be printed, either before or after the first reading, and before being taken into consideration by the Council.

7. The Party or Parties, having petitioned for the introduction of a Private Bill, and all persons whose interest or property may be affected by any Private Bill, may when required to do so, appear before the Standing Committee on Private Bills, touching their consent or to give explanation in reference to the Bill, or may send their said consent or explanation in writing, proof of which may be demanded by such Committee,

The whole is respectfully submitted

(Sgd.) J. DUBUC for Dr. SCHULTZ.
Chairman of the Committee.

And also the Report of the Committee on Rules, Orders and Forms of Proceedings of the North West Council which was received and adopted, and is as follows:

1. On the first day of the first semi-annual Meeting of the Council, His Honor the Lieutenant Governor shall open the Session by a speech drawing the attention of the Council to the most important measures which will have to be considered during the Session.

2. The Council having answered the Speech, all matters submitted to the Council at the preceding Meeting and adjourned for ulterior consideration, shall be laid before the Council to be disposed of as they stand on the orders of the day.

3. At the commencement of every Session, the Clerk in his capacity as Treasurer shall lay before the Council a detailed statement of all disbursements since the last audit, and shall produce vouchers in support thereof.

SITTING OF COUNCIL.

4. The usual time for ordinary meetings of the Council shall be at two o'clock in the afternoon unless some other time shall have been previously fixed upon.

5. If thirty minutes after the time of meeting a quorum is not present, the Lieutenant Governor or, in his absence, the Senior Member, acting as President shall adjourn to the next Sitting day. The names of the Councillors present being taken down by the Clerk.

6. When during a sitting of the Council, it appears that there is no quorum, the President adjourns the Council as above without a question first put.

7. The orders of the day which at the adjournment have not been proceeded with are considered as postponed until the next Sitting day and to take precedence of the Orders of that day unless otherwise ordered.

8. If at five o'clock the business be not concluded, the President leaves the Chair until the afternoon Session of the next day.

9. When the Council adjourns on Friday unless otherwise ordered, it stands adjourned until the Monday following.

10. The President shall maintain order or decorum, and shall decide questions of order without appeal, when the Lieutenant Governor presides, but with appeal to the Council when presided over by the Senior Member.

RULES OF DEBATE.

11. Every Councillor desiring to speak is to do it from his place and address himself to the President or the Honble. Members of the Council.

12. All personal, sharp or taxing speeches are forbidden, and any Councillor conceiving himself offended, or injured in the Council is to appeal to the Council for redress.

13. Any Councillor having used objectionable words and not explaining, or retracting the same, or offering apologies for the use thereof, to the satisfaction of the Council shall be censured or otherwise dealt with as the Council think fit.

14. The Council shall interfere to prevent the prosecution of any quarrel between Councillors arising out of Debates or proceedings of the Council or any Committee thereof.

15. A Councillor may speak to any question before the Council as long as the same has not been put by the President and the voices have not been given in the negative or affirmative thereon.

16. In voting, the contents first raise their right hand from their places and then the non-contents and the division is then entered upon the Minutes as it stands.

MOTIONS.

All motions shall be in writing and seconded before being debated or put from the chair.

PRIVILEGE.

Whenever any matter of privilege arises it shall be taken into consideration immediately .

BILLS.

Every Bill shall receive three several readings previously to being passed.

COMMITTEES.

Standing Committees may be appointed at the Session in June in each year; of the number of Members appointed to compose a Committee a majority of the same shall form a quorum, unless the Council has otherwise ordered.

In all unprovided cases the Rules Usages and Forms of the Commons of Canada shall be followed.

An address from the Métis of Qu'Appelle to the Lieutenant Governor asking for regulations as to hunting being read,

It was then moved by Honble. Mr. Bannatyne, seconded by Honble. Mr. Fraser, and

Resolved, That a Committee to take into consideration and report at the next Session on the best mode of regulating the hunting of the Buffalo in the North West Territories be formed, composed of the following members: Honble. Messrs. McKay, Boyd, Breland, Hamilton, Delorme.

Moved by Honble. Mr. McKay

Seconded by Honble. Mr. Kennedy, and

Resolved, Whereas the Indians of Rossville[1] and Nelson River numbering two hundred families have sent a Petition to His Honor the Lieutenant Governor, pointing out the destitution to which they will be enforced occasioned more particu-

[1] Near Norway House on the East River north of Lake Winnipeg.

larly at this time by the Hudson's Bay Company conveying their merchandise by water instead of as before by land, and further representing that the said Indians were heretofore employed by the Company and were able to earn sufficient wages to support their families, and whereas the said Indians state that the Country is unsuitable for cultivation and ask that a Reserve may be granted to them in some other suitable locality to which they might be permitted to remove, the Council are desirous of drawing the attention of the Privy Council to this matter, and feel more satisfied in doing so as these Indians are hard-working and desirous of helping themselves.

The Council then adjourned.

(Sgd.) FRANK G. BECHER,
Acting Clerk of N. W. Council.

November 23rd, 1875.

Council met at 11 o'clock A.M. His Honor the Lieutenant Governor presiding.

PRESENT

Honble. Messrs. Girard, McKay, Breland, Bown, Dubuc, Fraser, Bannatyne, Tait, Kennedy, Delorme and McTavish.

The Lieutenant Governor addressed the Council as follows:

" Gentlemen,—

I have now to address you in compliance with the Rules you have adopted for the regulation of the Proceedings of the Council.

You met, for the first time after the formation of the Council, on the 8th of March 1873 when I thus addressed you:

I have much pleasure in calling you around me to assist me in the Administrationof the affairs of the North-West Territories. The duties which devolve upon you are of a highly important character. A Country of vast extent, which is possessed of abundant resources is entrusted to your keeping, a Country which though, at present, but sparsely settled, is destined, I believe, to become the home of thousands of persons, by means of whose industry and energy that which is now almost a wilderness will be quickly transformed into a fruitful land where civilization and the Arts of Peace will flourish. It is for us to labor to the utmost of our power in order to bring

about, as speedily as possible the Settlement of the North-West Territories, and the development of their resources, and at the same time to adopt such measures as may be necessary to insure the maintenance of Peace and Order, and the welfare and happiness of all classes of Her Majesty's subjects, resident in the Territories."

In again assembling you to meet in what may prove to be the last, or nearly the last Meeting of the present Council, I have quoted these words for the purpose of congratulating you on the efforts you made to carry into effect the objects which I placed before you at your first meeting. Before proceeding to the ordinary work of the Session, I, therefore, think this a fitting occasion to review the work the Council has accomplished, and to place on record the results of its legislation and of its suggestions. The Present Council are now only acting provisionally, and a new Council is to be organized,[1] partly nominated by the Crown, and partly elected by the people, with[2] the view of exercising its functions under the presidency of a resident[3] Governor within the Territories themselves. I am confident that the Council will take up the work you began and have so zealously endeavoured to carry out, and I trust that they will prove successful in their efforts to develop the Territories and attract to them a large population.

Though you had many difficulties to contend with, you surmounted most of them and will have the gratification of knowing that you in a large measure contributed to shape the policy, which will prevail in the Government of the Territories, and the administration of its affairs.

At your first Meeting, you passed an Act to prohibit, except under certain restrictions, the importation of spirituous liquors into the Territories, and the Parliament of the Dominion has since adopted your views, and given effect to them by the passing of a law of a similar import to that you formed.

I am glad to say that this measure has proved effective, and will, I believe, contribute largely to the promotion of the well being of the population of the Territories, and to the preven-

[1] The North West Territories Act, 1875, was not actually put into force by proclamation till October 7, 1876.

[2] Electoral districts could be erected by proclamation so soon as 1,000 inhabitants of adult age were found in an area of 1,000 sq. miles. Chief Factor Lawrence Clarke of Carleton was elected in 1881 for Lorne, about Prince Albert.

[3] The first resident Lieutenant Governor was Hon. David Laird, then Minister of the Interior.

tion of disorder and crime. You also made provision for the appointment of Justices of the Peace, and in connection therewith you represented to the Government of the Dominion that the Criminal Laws of the Dominion should be extended to the Territories and that a Mounted Police Force under Military Discipline, should be established in the Territories for the maintenance of order therein, and the enforcement of the laws. You have had the satisfaction of seeing these suggestions adopted, and of knowing that the Police Force, which you proposed has proved, and is proving, of the greatest service in the Territories.

Such were some of the results of your first meeting, and your subsequent Sessions were not unproductive of good. I will only mention, generally, some of the more important subjects you dealt with.

You were and are of opinion that the Militia Battalion in Manitoba should be maintained and should be so increased that an effective force should be available in the Territories.

You proposed that treaties should be made with the Indians of the Plains at Forts Carlton, Pitt and Qu'Appelle, and you suggested that schools should be provided for, that agricultural implements and cattle should be given to the Indians, and that teachers should be furnished to teach them the arts of Agriculture.

You have seen a Treaty concluded at Qu'Appelle, and I am glad to inform you that Treaties will be made next year at the other points indicated.

You urged that Stipendiary Magistrates should be appointed, resident in various portions of the Territory, clothed with powers to deal with certain classes of Criminal offenses and also with a limited jurisdiction as regards Civil causes, and that a resident Judge, with Queen's Bench powers, should be appointed to deal with graver matters, with an Appeal to the Courts of Queen's Bench, in the Province of Manitoba, in certain cases.

Your recommendation as to Magistrates has been adopted by the Dominion, and though power has been given to the Judges of the Court of Queen's Bench of Manitoba, to hold Courts in the Territories, this can only be regarded as a provisional measure, so that I doubt not your proposal will be eventually carried into effect.

You called attention to the necessity of steps being taken to punish the actors in the Cypress Hills tragedy, and your re-

commendation has been acted on by the Privy Council, with the best effect, as regard the Indian population.

You proposed that a monthly mail should be established between Fort Garry and Fort Edmonton, for the convenience of the Public, and it is to be hoped that the private mail now carried for the use of the Police, and the Pacific Railway Service, may prove the precursor of a much needed boon to the people of the North West.

You asked that a reserve should be granted to the Norway House Indians, who had been deprived of their means of livelihood by the introduction of steam navigation and your request has, during the past Season, been granted.

You urged that measures should be adopted to collect Customs duties in the region of the west, known as the Belly and Bow River[1] Country, and your representations were complied with.

You passed laws for the appointment of Coroners, for caring for Orphan Children, for regulating the relations of "Masters and Servants" for the prohibition of the importation of poisons in the Territories, and of their use in hunting game.

You asked that the existing highways, portages and watering places, in the Territories, should be set apart for public use, and that as soon as the Treaties with the Indians were completed, surveys should be made of the lands where Settlements had taken place, and some of these subjects have been dealt with by the Privy Council, but others still remain for their action. Such, then, is a brief review of the work that you have accomplished, and I can safely tell you, that you have reason to be well satisfied with the results of your executive and legislative action, for, during your regime, most important steps have been taken towards the establishment of law and order in the Territories and towards the creation of respect amongst the people, for the authority of the Crown.

The foundation has now been laid for peace, security, the advancement of the Settlement of the vast region you have ruled over, and for the securing of the goodwill of the Indian Tribes, and I can only express my confident trust that those who follow you will rear, wisely and well, a noble superstructure on the basis that you have established.

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[1] Begg, *History of the North West*, II. 237,—"The American outlaws had so increased in strength and audacity in the Territories, that they had established no less than ten forts at different points on the St. Mary Belly, Bow, and Red Deer rivers. At these forts, the Indians assembled to trade their buffalo robes for whiskey and the scenes enacted were terrible."

I will now, in conclusion, ask you to enter upon the ordinary work of the Session, and will suggest that you should, before you separate, lay down some mode of dealing with a subject which is of the utmost importance, as respects the relations of the Government of the Queen with the Indian Tribes, and as regards their means of livelihood, while they are passing through the transition process of being prepared to earn a living from the soil. I mean the regulation of the buffalo hunt, in such a way as to prolong the subsistence afforded to the native Tribes, by the wild cattle of the North West, and thus, to give time for their gradual civilization and accustomment to practise the arts of agriculture. I would also suggest that you should adopt measures to prevent the spread of prairie and forest fires.

You will now proceed to the discharge of your duties, and I am confident that harmony will prevail amongst you, and that you will exhibit the same desire to advance the best interests of the Dominion, which has hitherto actuated you.

Moved by the Honble. Mr. Girard, seconded by the Honble. Mr. Dubuc, and

Resolved,—That a Committee be struck to draw up a reply to the address in conformity with the Rules adopted at the last Meeting composed of the following Members:—Honorable Messrs. Girard, Bown, Bannatyne, Dubuc, Kennedy.

Honorable Mr. McKay as Chairman of the Committee appointed at the last Meeting to report on the best mode of regulating the hunting the buffalo, presented the report which was read and is as follows:

The undersigned has the honor to report that as Chairman of the Committee struck at the last Session of the North West Council to consider and report on the best mode of regulating the hunting of the buffalo in the North West Territories of the Dominion of Canada, he did not, on hearing that a new Council was to be appointed, summon the Committee to meet for the purpose of framing Rules; but since being notified of this special Session, the Committee has taken the matter under consideration and beg respectfully to submit the following suggestions for the attention of the Council.

1. No Buffalo shall be hunted or killed between the first of January and the first day of June.

2. [1]No pound or similar contrivance shall at any time be formed or used for the capture of the Buffalo.

[1] The Pound was the old Indian method of hunting. The Half-breeds organized the elaborate buffalo hunt with its officers and laws. See Ross' *Red River Settlement,* Ch. XVIII.

3. It shall be unlawful to kill any Buffalo under the age of two years.

4. The period at which the hunting parties shall, within, the region thus defined, that is to say:—All the country bounded on the North by the North Branch of the Saskatchewan fifty miles west of Fort Edmonton, thence due South to the junction of the Bow and Belly Rivers, thence due South to the International Boundary, including all the Country Eastward—start for the hunt, shall from time to time be fixed by the North West Council.

5. The Committee further suggest that during the close Season the Dominion Government make some provision for the maintenance of the Indians in the aforesaid District by supplying them with necessary food or other aid in conformity with Treaty Regulations.

6. No small parties of hunters shall start for the buffalo hunt in advance of the large camp, or party of hunters, but one common start shall be made in a body.[1]

7. Offenses against this Act shall be punished upon summary conviction on information or complaint before a Stipendiary Magistrate or Justice of the Peace as follows with costs a fine in a sum not exceeding one hundred dollars nor less than twenty-five dollars for each offence, and in default of the payment, it shall be lawful to levy a fine equivalent to the aforesaid amount on the goods and chattels of the offender, or offenders.

In any prosecution under the provisions of this Act where by the conviction of the offender, or offenders, is secured, the informer shall be entitled to receive one-half the amount of the fine imposed.

Moved by Honble. Mr. Dubuc, seconded by Honble. Mr. Bannatyne, and

Resolved,—That the Report be laid on the table to be taken into consideration at the next Meeting.

Moved by Honorable. Mr. Dubuc, seconded by Honorable Mr. Bown, and

Resolved,—That a Committee on Private Bills be appointed composed of the following Members: Honble. Messrs. Girard, McKay, Fraser, McTavish, Dubuc, Bannatyne, Bown.

[1] Two rules of the old buffalo hunt were,—"No party to fork off, lag behind, or go before, without permission; No person or party to run buffalo before the general order."

Honble. Mr. Bannatyne presented a petition from Mr. Fuller, praying that he be permitted to construct and maintain a Toll Bridge across the Battle River.

A Bill founded on said Petition was introduced by the Honble. Mr. Bannatyne and on Motion was read a first time and referred to the Committee on Private Bills.

Honble. Mr. Bannatyne presented a Petition from Mr. Fuller praying that he be allowed to construct and maintain a Ferry across the South Branch of the Saskatchewan. A Bill founded on said Petition was introduced by the Honble. Mr. Bannatyne, and on motion, was read a first time and referred to the Committee on Private Bills.

Honble. Mr. Girard presented a Petition from His Lordship the Bishop of St. Albert and Mr. Hardisty, praying that they be allowed to charge toll for crossing the Sturgeon River on the Bridge they have[1] constructed. A Bill founded on said Petition was introduced by the Honble. Mr. Girard and on motion was read a first time and referred to the Committee on Private Bills.

Honble. Mr. Dubuc presented a Petition from Joseph and Francois Lamoureux praying that they be allowed to construct and maintain a Ferry across the North Saskatchewan, fifteen miles below Fort Edmonton. A Bill founded on said Petition was introduced by the Honble. Mr. Dubuc, and, on motion was read a first time, and referred to the Committee on Private Bills.

Honble. Mr. Dubuc asked to be allowed to present a Bill entitled "An Act for the prevention of Prairie and Forest fires in the North West Territories of the Dominion of Canada." The Bill was received and referred to the Committee on Private Bills.

Moved by the Honble. Mr. Dubuc, seconded by Honble. Mr. Bannatyne, and

Resolved,—That this Bill be read first time and stand for the second reading at the next Meeting.

Honble. Mr. Girard asked that the Bill to incorporate the Révérends Pères Oblats be read a second time, the Council resolved to go into a Committee of the whole on the said Bill at the next sitting.

Council then adjourned until two o'clock P. M. of the following day, November 24th, 1875.

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[1] This brigade was built in 1862 by Father Lacombe. See Katherine Hughes, Father Lacombe, the Black Robe Voyageur, p. 86.

November 24th, 1875.

Council met at two o'clock P. M., His Honor the Lieut.-Governor presiding,

PRESENT

Honble. Messrs. Breland, Girard, Dubec, Tait, Delorme, Bannatyne, Fraser, Kennedy, Bown, McTavish, Schultz, McKay.

Honble. Mr. Girard Chairman of the Committee struck at the last Meeting to prepare a reply to the address, read the following:

To His Excellency the Honorable Alexander Morris, Lieutenant-Governor of the North West Territories.

May it please Your Excellency;

We, Her Majesty's dutiful and loyal subjects the Members of the North West Council, cordially thank you for your Speech at the opening of this Session.

We have endeavored to the fullest extent, to bear in mind the words and advice of Your Excellency on the occasion of our first Meeting as Councillors.

The duties we were then and since have been called upon to discharge were of a highly important character.

A Country of vast extent, possessed of abundant resources, was entrusted to our Government, which, though, now but sparsely settled, is, we believe, destined to become the home of many thousands of different nationalities by means of whose industry and energy what is now a vast uncultivated wilderness will be speedily transformed into a fruitful and productive region where civilization and industry will prevail.

We have, as a Council, laboured with one mind and to the utmost of our powers to establish as rapidly as possible the peopling of the North West Territories and the development of its present resources, and have adopted such measures as we thought would be most beneficial for maintenance of Peace and Harmony amongst all races residing therein.

It is with feelings of no little satisfaction that we have heard from Your Excellency your approval of the efforts we have made to discharge the duties entrusted to us, more so as you have pointed out the many benefits arising out of our legislation and suggestions which have been adopted in the North West Territories by the Dominion Government.

We feel confident that our successors about to be appointed under an Act of last Session of the Dominion Parliament, will

with cordiality take up the work we have begun, and, favored by prompt effect given to their proceedings will have every success in developing the Territories and promoting the happiness and welfare of its population.

We are instigated by natural feelings of pride when we look back at the many difficulties we have had to contend with and have been able to surmount and it will be ever before us that we were called upon to lay the foundation stone of the policy which we feel certain will prevail in the Government and administration of the Territories.

Your Excellency has congratulated us on the results of our executive and legislative action during our short lived rule, and we heartily agree with you that very many important steps have been taken towards the creation of a wholesome respect for the law and the authority of the Crown in the Territories.

We perceived with pleasure the conclusion of the Treaties entered into with Her Majesty's Indian subjects in the North West Territories, and feel assured that they will contribute to the civilization and benefit of the Indians.

We heartily thank Your Excellency for the kindly feelings you have expressed towards us, and cannot allow this befitting opportunity to pass, without expressing our cordial feelings of gratitude for the valuable assistance you have at all times rendered to us in the performance of our duties, and it shall be our aim to make the result of our labors of this Session such as we can look back to with pride and satisfaction.

And now bearing in mind that this may prove to be the last Meeting of the Council, as at present organized, we desire to take this opportunity of assuring Your Excellency that we entered upon the duties of our office animated by sentiments of loyalty to our Queen, and desirous of doing all in our power to advance the best interests of the Dominion, and that when we retire from the Council, we will continue in whatever sphere in life we may occupy, to be actuated by the same feelings of warm attachment to the Sovereign, and loyal devotion to our Country.

Moved by the Honble. Mr. Girard, seconded by the Honble. Mr. Kennedy, and

Resolved, That the reply to the address be adopted.

Moved by the Honble. Mr. Bannatyne, seconded by the Honble. Mr. Dubuc, and

Resolved, That the address and reply be printed for the use of the Members of the Council.

Moved by the Honble. Mr. McKay, seconded by the Honble. Mr. Bannatyne, and

Resolved, That the report of the Committee for the best mode of regulating the Buffalo hunt be adopted and that the Committee be continued and requested to make a further report at the next Session of the Council.

Honble. Mr. Girard Chairman of the Committee on Private Bills presented a Report of the Committee on the following Bills with amendments—

1st. An Act to authorize Richard Fuller to build and maintain a Toll Bridge over Battle River in the North West Territories.

2nd. An Act to authorize Richard Fuller to build and maintain a Toll Ferry over the South Branch of the South Saskatchewan River in the North West Territories.

3rd. An Act to authorize the collection of tolls by the owners of a Bridge constructed over the Sturgeon River in the North West Territories.

4. An Act to authorize Joseph and Francois Lamoureux to establish and maintain a Toll Ferry over the River Saskatchewan in the North West Territories.

5th. An Act for the prevention of prairie and forest fires in the North West Territories of the Dominion of Canada.

On the motion of the Honble. Mr. Bannatyne the Bill entitled an Act to authorize Richard Fuller to build and maintain a Toll Bridge over Battle River South of the North Saskatchewan River in the North West Territories was read a second time and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain amendments, the report and amendments were adopted and the Bill ordered to be read a third time at the next Meeting.

On the motion of the Honorable Mr. Bannatyne, the Bill entitled "An Act to authorize Richard Fuller to build and maintain a Toll Ferry over the South Branch of the South Saskatchewan in the North West Territories" was read a second time, and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain amendments, the report and amendments were adopted, and the Bill was ordered to be read a third time at the next Meeting.

On the Motion of Honble. M. Girard,

The Bill entitled "An Act to authorize the collection by the owners of a bridge constructed on the Sturgeon River in the North West Territories" was read a second time, and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain amendments, the Report and amendments were adopted, and the Bill was ordered to be read a third time at the next Meeting.

On the Motion of Honble. Mr. Dubuc,

The Bill entitled "An Act to authorize Joseph and Francois Lamoureux to establish and maintain a Toll Ferry over the River Saskatchewan in the North West Territories" was read a second time, and the Council resolved itself into a Committee of the whole to take it into consideration.

The Committee having reported the Bill with certain Amendments, the Report and Amendments were adopted and the Bill was ordered to be read a third time at the next Meeting.

Hon. Mr. Dubuc asked leave to present a Petition from George McKay, praying that he be allowed to construct and maintain a Ferry on the South Saskatchewan and be permitted to charge tolls on the same,—the Petition was received.

A Bill founded on said Petition was introduced by the Honble. Mr. Dubuc and on motion was read a first time and referred to the Committee on Private Bills.

Honble. Mr. Dubuc asked permission to introduce a Bill entitled "An Act respecting the granting of Licenses for Bridges and Ferries in the North West Territories."—On Motion the Bill was read a first time and referred to the Committee of Private Bills.

Hon. Mr. Dubuc asked permission to introduce a Bill entitled "An Act for the prevention of Prairie and Forest Fires in the North West Territories."—The Bill was received and on motion was read a first time—

Moved by the Honble. Mr. Schultz, seconded by the Hon. Mr. Kennedy, and

Resolved, That the Bill entitled "An Act respecting the granting of Licenses for Bridges and Ferries in the North West Territories" and the Bill entitled "An Act to prevent Forest and Prairie Fires" be printed before the next Meeting.

Council then adjourned until two o'clock P.M. of the following day, November 25th. 1875.

November 25th. 1875.

Council met at two o'clock P.M. His Honor the Lieutenant Governor presiding—

PRESENT:

Honble. Messrs. Schultz, Kennedy, McKay, Girard, Dubuc, Bown, Fraser, Bannatyne, Tait, McTavish.

A letter from Mr. Luxton, Editor of the "Free Press" requesting that he be allowed to send a reporter to be present at the Legislative Meetings of the Council was read.—After some discussion, the Clerk was ordered to transmit the following letter in reply:—

January 26th, 1876.

SIR,—

I am in receipt of your letter of the 25th instant, which reached me after the Council had been in Session for two days, requesting to be permitted to attend the Legislative Session of the North West Council as reporter for the "Free Press" newspaper, and in reply, I have been directed by the Council to inform you that hitherto, no distinction has been made by the Council in disposing of Executive and Legislative business, but both have been taken up at the same time.

Should the Council continue in office for any length of time, they would contemplate holding distinct Executive and Legislative Sessions, and in that event, they would be disposed to regard favorably the admission of the Reporters of the Press generally to their Legislative Sessions, especially if provided with a room of sufficient extent, to afford the necessary accommodation to representatives of the Press—

The apartment at present used being inconveniently small for the reception of their own Members.

I have the honor to be, Sir,

Your obedient servant,

(Sgd.) FRANK G. BECHER,
A. C. N. W. C.[1]

F. Luxton, Esq.,
Editor Free Press,
Winnipeg.

[1] Acting Clerk of the North West Council.

On motion of Honble. Mr. Bannatyne, seconded by the Honble. Mr. Dubuc,

Resolved,—The Bill entitled "An Act to authorize Richard Fuller to build and maintain a Toll Ferry over the South Branch of the South Saskatchewan River in the North West Territories was read a third time and passed under the title "An Act to authorize Richard Fuller to build and maintain a Toll Ferry over the South Branch of the South Saskatchewan River in the North West Territories"—Said Act being as follows:

"An Act to authorize Richard Fuller to build and maintain a Toll Ferry over the South Branch of the South Saskatchewan River in the North West Territories.

Whereas the construction of a Toll Ferry over the said River, a navigable stream, the said Ferry being situated at or near the[1] place where the present telegraph line crosses the said River,

Will greatly tend to promote the welfare and intercourse of Settlers, Travellers, and others in the locality aforesaid, and whereas Richard Fuller, of the City of Winnipeg, Province of Manitoba, Contractor, desires to be authorized to construct, repair and maintain a Toll Ferry over the said South Branch of the Saskatchewan River,—enacts as follows:

1. The said Richard Fuller is hereby authorized to build, repair and maintain, at his own cost and expense, a good and substantial Ferry over the said South Branch of the Saskatchewan in the locality aforesaid, said Ferry to be completed before the 31st December, 1876.

And to have Toll houses and also to do and execute all such other matters and things as shall be necessary and useful or advantageous for executing and constructing, keeping up and maintaining the said Ferry houses, ropes and approaches, and other dependencies according to the true intent and meaning of this Act.

2. During the continuance of the privileges by this Act conferred, it shall be lawful for the said Richard Fuller to ask, demand, receive, take, sue for, recover, to and for his own proper use, benefit and behalf, for Ferriage as or in the name of Toll or Duty before any passage over the said Ferry, shall be permitted, or after such passage, the several sums following that is to say:—

[1] Near Clarkboro north of Saskatoon.

For every	vehicle drawn by one horse or ox....	20 cents.
" "	vehicle drawn by two horses or two oxen	30 "
" "	vehicle drawn by more than two horses or two oxen.....	50 "
" "	horse, ox or cow	10 "
" "	sheep, hog, calf or colt.....	8 "
" "	horse with its rider.....	20 "
" "	foot passenger	8 "
"	all articles or goods without a vehicle over 100 lbs., per 100 lbs.....	2 "

3. It shall be lawful for the said Richard Fuller to diminish the said tolls or any of them, and then afterwards, if he sees fit, to augment the same or any of them, so as not to exceed in any case the rates by this Act authorized to be taken and he shall affix in some conspicuous place at or near the said Ferry, or upon the said Ferry, a table of the rates payable for passing over the said Ferry and so often as such rates may be diminished or augmented he shall cause such alteration to be affixed in manner aforesaid.

4. If any person shall forcibly pass over or upon said Ferry without paying the said Toll or any part thereof, or shall interrupt or disturb the said Richard Fuller, or any person or persons employed by him in building or repairing the said Ferry or any road or avenue leading thereto, or in the working of said Ferry, every person so offending in each of the cases aforesaid shall for every such offence forfeit a sum not exceeding ten dollars or in default of payment be imprisoned for a period not exceeding ten days.

5. At all times so long as the said Ferry is passable or open for use of the public, no person whatsoever shall erect, construct or build or use any boats or rafts of any description whatsoever for the passage of any person, cattle, or vehicle whatever, for hire, across the said River within a distance of five miles of the said Ferry, and any person who shall build any boat or raft or use the same for ferriage over the said River within the limits aforesaid, or shall ferry for hire within the limits aforesaid, shall, without prejudice to any proceedings which may be instituted against him by the said Richard Fuller before any Court to cause the said boats, rafts or Ferries to be destroyed and to cause his privileges to be otherwise respected, pay to the said Richard Fuller treble the tolls hereby imposed for all persons, cattle, horses and vehicles passing over such ferries, boats or rafts or by means of any of them.

And the said Richard Fuller to entitle himself to the benefits and advantages, to him by this Act granted, shall be bound to put the said Ferry into a good and safe condition for the

passage of Traders, Travellers, Cattle and Vehicles, and, if the said Ferry, ropes, boats or other appurtenances of the said Ferry should by accident or otherwise be broken, lost or destroyed, the said Richard Fuller shall be bound to replace the same twelve months next following the breaking, losing or destruction of said ropes, boats or appurtenances under penalty of forfeiture of the advantages to him by this Act granted, and during such time as the regular Ferry is not in running order by accident or otherwise unless the said Richard Fuller maintains a crossing of some kind the privileges hereby granted shall cease to be in force until the regular Ferry is in running order.

The penalties, hereby inflicted, shall upon proof of the offence respectively before any one or more Justices of the Peace or Magistrates for the District or before any other Court of competent Jurisdiction, either by the confession of the offender, or by the oath of one or more credible witness or witnesses (which oath each Justice Court or Magistrate is hereby empowered and required to administer) be levied by distress and sale of the goods and chattels of such offender by warrant signed by such Justice or Justices of the Peace or Magistrates, or issued by such Court, and the overplus after such penalties and the charges of such Distress and Sale are deducted shall be returned on demand to the owners of such goods and chattels, and such penalties shall belong to the said Richard Fuller or his assigns.

All the powers, privileges and immunities hereby granted to the said Richard Fuller shall be vested in the said Richard Fuller, his heirs, Executors and Assigns.

The Act and the provisions herein before contained shall be in force for the period of ten years from the passing thereof—nothing contained in this Act shall be deemed to affect the right of passage up and down the stream of any steamboats, vessels, boats or rafts.

The dimensions of the vessel used for the crossing the said Ferry and the conditions on which the same—shall be subject to any regulations which may be made from time to time by the Lieutenant-Governor in Council in regard to the same.

Her Majesty, Her Heirs and Successors may at any time assume the possession and property of said Ferry and of all the rights, privileges and advantages attached hereto, all which shall after such assumption be vested in Her Majesty, Her Heirs and Successors on giving to the party or parties holding the same one month's notice thereof, and on paying to them the value of the same to be fixed by three arbitrators or the major-

ity of them, one to be chosen by the Lieutenant-Governor of the North West Territories, another by the party or parties holding the same, and the third by the two first arbitrators, the arbitrators having full power to consider in the valuation the expenses incurred in connection with the said Ferry, the traffic on the same and its past and present and prospective business.

This Act shall be deemed a public Act. On the Motion of the Honorable Mr. Bannatyne, seconded by the Honorable Mr. Kennedy, and

Resolved,—The Bill entitled "An Act to authorize Richard Fuller to build and maintain a Toll Bridge over Battle River South of the North Saskatchewan River in the North West Territories," was read a third time and passed under the Title of "An Act to authorize Richard Fuller to build and maintain a Toll Bridge over Battle River South of the North Saskatchewan River in the North West Territories" said Act being as follows:—

"An Act to authorize Richard Fuller to build and maintain a Toll Bridge over Battle River South of the North Saskatchewan River in[1] the North West Territories.

Whereas the construction of a Toll Bridge over the Battle River a partly navigable stream, being situated at or near the crossing of the present Telegraph Line, will greatly tend to promote the welfare and intercourse of Settlers, travellers, traders and others in the locality aforesaid. And whereas Richard Fuller of the City of Winnipeg, in the Province of Manitoba, Contractor, desires to be authorized to construct, repair and maintain a Toll Bridge over the said Battle River —Therefore Her Majesty by and with the advice and consent of the North West Council enacts as follows:

1. The said Richard Fuller is hereby authorized to build, repair and maintain at his own cost and expense a solid and sufficient Toll Bridge over the said Battle River in the locality aforesaid, said Bridge to be built within twelve months from the date of the passing of this Act, and to have Toll houses and Toll gates and also to do and execute all such other matters and things as shall be necessary, useful or advantageous for erecting and constructing, keeping, repairing and maintaining the said Bridge, Toll houses, Toll Gates and other dependencies according to the true intent and meaning of this Act.

[1] At Battleford.

2. During the continuance of the privileges by this Act conferred, it shall be lawful for the said Richard Fuller to ask, demand, receive, take, sue for, recover to and for his own proper use, benefit and behalf for ferriage, as or in the name of toll or duty before any passage over the said Bridge shall be permitted or after such passage, the several sums following viz.:

For every	vehicle drawn by one horse or ox.....	15	cents.
" "	vehicle drawn by two horses or two oxen.....	25	"
" "	vehicle drawn by more than two horses or two oxen.....	50	"
" "	horse, ox or cow	8	"
" "	sheep, hog, calf or colt.....	5	"
" "	horse with its rider.....	15	"
" "	foot passenger	5	"

3. It shall be lawful for the said Richard Fuller to diminish the said tolls or any of them, and then afterwards, if he sees fit to augment the same or any of them, so as not to exceed in any case the rates by this Act authorized to be taken, and the said Richard Fuller shall affix or cause to be affixed in some conspicuous place at or near the said Toll Gates, or upon the said Bridge, a table of the rates payable for passing over the said Bridge, and so often as such rates may be diminished or augmented he shall cause such alteration to be affixed in manner aforesaid.

4. If any person shall forcibly pass through the said Toll Gates, or over, or upon the said Bridge without paying the said toll or any part, or shall interrupt or disturb the said Richard Fuller or any person or persons employed by him in building or repairing the said bridge or making or repairing the way over the same or any road or avenue leading thereto, or shall at any time drive faster than a walk on the said Bridge, every person or persons so offending in each of the cases aforesaid shall for every such offence forfeit a sum not exceeding ten dollars or in default of payment be imprisoned for a period not exceeding ten days—

5. At all times so long as the said Bridge is passable or open for use to the public, no person whatsoever shall erect any bridge or Bridges, nor shall use for purposes of ferriage boats of any description whatever for the passage of any person, cattle or vehicle whatsoever, for hire, across the said River, within the following limits from the mouth of the said River five miles up the said Battle River.

6. And any person who shall build any toll Bridge, or toll Bridges, over the said River within the limits aforesaid, or

shall ferry, for hire, within the limits aforesaid, shall, without prejudice to any proceedings which may be instituted against him by the said Richard Fuller, before any Court, to cause the said bridges to be destroyed and to cause his privileges to be otherwise respected, pay to the said Richard Fuller treble the tolls hereby imposed for all persons, cattle, horses and carriages passing over such bridge or crossing by means of such ferry or ferries.

The said Richard Fuller to entitle himself to the benefits and advantages to him, by this Act granted, shall be bound to put the said bridge into a safe and convenient condition for the passage of travellers, cattle and vehicle; and, if the said Bridge should, by accident, or otherwise give away, the said Richard Fuller, shall be bound to rebuild the said Bridge within six months next following the giving away of the said Bridge, under penalty of forfeiture of the advantage to him by this Act granted.

The penalties hereby inflicted shall upon proof of the offence respectively, before any one or more Justices of the Peace or Magistrates for the Districts, or before any other Court of competent Jurisdiction, either by the confession of the offender or by the oath of one or more credible witness, or witnesses (which oath such Justice Court or Magistrates is hereby empowered and required to administer) be levied by distress and sale of the goods and chattels of such offender by warrant signed by such Justice or Justices of the Peace or Magistrate, or issued by such Court, and the overplus, after such penalties and the charges of such distress and sale are deducted shall be returned on demand to the owner of such goods and chattels, and such penalties shall belong to the said Richard Fuller or his assigns.

7. All the powers, privileges and immunities hereby granted to the said Richard Fuller shall be vested in the said Richard Fuller, his heirs, Executors and Assigns.

8. This Act and the provisions hereintofore contained shall be in force for the period of fifteen years from the passing thereof.

9. The place for the construction of the said Bridge shall first be approved by the Lieutenant Governor in Council.

10. Her Majesty, Her Heirs and Successors may, at any time assume the possession and property of all the rights, privileges and advantages attached thereto, all which shall, after

such assumption, be vested in Her Majesty, Her Heirs and Successors, on giving to the party or parties holding the same one month's notice thereof and on paying to them the value of the same to be fixed by three Arbitrators, or the majority of them, one to be chosen by the Lieutenant Governor of the North West, another by the party or parties holding the same, and the third by the two first arbitrators, the arbitrators having full power to consider in the valuation the expenses incurred in connection with the said Bridge, the traffic on the same and its past and present and prospective business.

This Act shall be deemed a public Act.

On the motion of the Honble. Mr. Dubuc

Seconded by the Honble. Mr. Girard,

Resolved, The Bill entitled an Act to authorize the collection of tolls by the owners of a Bridge constructed on the Sturgeon River in the North West Territories, was read a third time and passed, said Act being as follows:

An Act to authorize the collection of tolls by the owners of a bridge constructed on the Sturgeon River in the North West Territories.

Whereas it has been represented that the Right Reverend Vital Grandin Bishop of St. Albert and Richard Hardisty of Edmonton have constructed a bridge over the Sturgeon River, opposite the St. Albert Mission in the North West Territories, for which they have incurred large expenses; and that the said Bridge is a great benefit to the public—and whereas the said Right Reverend Vital Grandin and Richard Hardisty have prayed to be authorized to collect tolls from all party, or parties, passing over the said Bridge—

Therefore, Her Majesty by and with the advice and consent of the North West Council, enacts as follows:—The said Right Reverend Vital Grandin and Richard Hardisty[1], are hereby, authorized and empowered to keep, maintain, repair and replace the said Bridge constructed by them over the Sturgeon River opposite the St. Albert Mission in the North West Territories, and it shall be lawful for them to ask, demand, receive, take, sue for and recover to and for their own use and benefit the tolls hereinafter prescribed from all person or persons and for all vehicles and animals passing over the said Bridge, for and during the term and period hereinafter mentioned—

[1] H. B. Co. officer in charge at Fort Edmonton, and brother-in-law of Donald Smith (Lord Strathcona).

2. The tolls to be collected on said Bridge shall not exceed the following rates:

For every	foot passenger	5 cents.
" "	horse or mule with rider	15 "
" "	vehicle drawn by one animal and driver	15 "
" "	vehicle drawn by two animals and driver	25 "
" "	vehicle drawn by more than two animals and driver	50 "
" "	horse, mule, ox or cow	8 "
" "	sheep, hogs, colt or calf	5 "

A table showing the above rates shall be affixed and kept posted up in some conspicuous place at or near the said Bridge.

3. It shall not be lawful for any other person or persons, to construct or erect a bridge or to establish, keep or maintain a ferry running for hire, on the said River within three miles from the place where the above mentioned bridge is situated, for the use of the public or to collect or receive any tolls or right of ferriage on any bridge or ferry constructed or established within the said limits.

4. If at any time the said Bridge is destroyed or injured, or is being repaired, or for any other cause becomes unsafe, it shall be lawful for the said Right Reverend Vital Grandin and Richard Hardisty to establish, keep and maintain, a ferry at or near the same place for or during such time as may be required to replace or repair or make safe the said Bridge provided that such time so required shall not exceed eighteen months, and during such time they shall be authorized to collect for crossing on said ferry the same tolls or fares as are hereby authorized on the said table.

5. The said Bridge shall be kept open and in good order for the use of the public, and any person paying or tendering the authorized tolls or fares shall have right and be entitled to pass on the said bridge except when prevented by some physical and unavoidable cause or circumstance.

6. Any person passing the said bridge or ferry, and refusing to pay the prescribed tolls or fares or violating any of the provisions of this Act shall for every such offence forfeit a sum not exceeding ten dollars and in default of payment of such fine and costs, the offender shall be imprisoned for any period not exceeding ten days, unless such fine and costs be sooner paid.

Every offender against any of the provisions of this Act shall, for every such offence, forfeit a sum not exceeding ten

dollars and in default of payment of such fine and costs, the offender shall be imprisoned or any period not exceeding ten days unless such fine and costs be sooner paid.

7. Every offence against any of the provisions of this Act shall be prosecuted by warrant or Summons, before any Justice of the Peace, Police Magistrate, Stipendiary Magistrate or Judge having Jurisdiction in the locality.

8. The Rights and Privileges hereby conferred may be assigned or transmitted by the said Right Reverend Vital Grandin and Richard Hardisty or either of them, as to his own share and every party, or parties to which the same shall be assigned or transmitted or in any wise becoming legally seized of the same, shall possess and enjoy the same in the same manner as the parties to which the said rights and privileges are hereby conferred.

9. The rights and privileges, hereby conferred are granted for the period of ten years subject to the provisions of the next Section.

10. Her Majesty, Her Heirs and Successors may at any time assume the possession and property of the said bridge and of all the rights, privileges and advantages attached thereto (all which shall after such assumption be vested in Her Majesty, Her Heirs and Successors) on giving to the party or parties holding the same one month's notice thereof and paying to them the value of the same to be fixed by three arbitrators or the majority of them, one to be chosen by the Lieutenant-Governor of the North West, another by the party or parties holding the same and the third by the two first arbitrators, the arbitrators having full power to consider in the valuation the expenses incurred in connection with said Bridge, the traffic on the same and its past and present and prospective business.

11. Nothing contained in this Act shall be deemed to affect the right of passage of any steamboats, vessel, boats or rafts, up and down the stream.

12. The said Bridge and the manner in which toll shall be collected shall be subject to any regulations which may be made in regard to the same by the Lieutenant-Governor in Council.

13. This Act shall be deemed a public Act.

On the Motion of Honble. Mr. Dubuc, seconded by Honble. Mr. Girard,

Resolved,—The Bill entitled an Act to authorize Joseph and François Lamoureux to establish and maintain a Toll Ferry over the River Saskatchewan in the North West Territories was read a third time and passed under the Title of "An Act to authorize Joseph and François Lamoureux to establish and maintain a Toll Ferry over the River Saskatchewan in the North West Territories"—Said Act is as follows:

An Act to authorize Joseph and François Lamoureux to establish and maintain a Toll Ferry over the River Saskatchewan in the North West Territories.

Whereas it has been represented that the establishment and maintenance of a Toll Ferry over the River Saskatchewan opposite the Mounted Police Station, at about fifteen miles below Edmonton, would tend to promote the interests of the Settlers in that Section of the Country, and would be of great benefit to the public in general, and whereas Joseph and François Lamoureux have prayed by petition to be authorized to establish keep, repair and maintain a Toll Ferry at the said place with exclusive right of ferriage on the same.

Therefore Her Majesty by and with the advice and consent of the North West Council enacts as follows:

1. The said Joseph and François Lamoureux are hereby authorized to establish, construct, keep, maintain and repair at their own costs and expenses a good and substantial Ferry over the said River Saskatchewan about fifteen miles below Edmonton, opposite or near the Mounted Police Station in that locality within twelve months from the date of the sanction of this Act, and, on establishing said Ferry they shall have the exclusive right of ferriage on the said River within three miles from the said Ferry, for and during the term or period of five years from the date such Ferry shall be established: and during said period, it shall be lawful for the said Joseph and François Lamoureux to ask, demand, receive, take, sue for and recover to and for their own use and benefit from all persons, or person and for all vehicles, animals and arti cles passing or transported over the said Ferry, the tolls prescribed in the next Section:

2. The tolls to be collected on said Ferry shall not exceed the following rates:

For every	foot passenger	8 cents
" "	horse or mule and rider	20 "
" "	vehicle drawn by one animal and driver	20 "
" "	vehicle drawn by two animals and driver	30 "
" "	vehicle drawn by more than two animals and driver	50 "
" "	horse, mule, ox or cow	10 "
" "	sheep, hog, colt or calf	8 "
" other	articles or goods without vehicle over 100 lbs. per 100 lbs	2 "

A table showing the above rates shall be affixed and kept pasted up in some conspicuous place at or near the said Ferry.

. It shall be unlawful for any person, or persons, to establish, keep or maintain a Ferry, for hire, within the limits above mentioned for the use of the public, and to collect, take or receive tolls or remuneration for crossing on the same.

4. After the said Ferry is established, it shall be kept in operation and open to the public, and in a good and safe condition during the whole of each and every season of navigation until the five years are expired and during such time, the said Joseph and François Lamoureux shall be bound to cross on the said Ferry any person paying or tendering the authorized tolls or fares, except when prevented from doing so by some physical and unavoidable cause or circumstance.

5. Any person crossing on the said Ferry and refusing to pay the prescribed tolls or fare, or violating any of the provisions of this Act, shall, for every such offence forfeit a sum not exceeding ten dollars, and in default of payment of such fine and costs, the offender shall be imprisoned for any period not exceeding ten days, unless such fine and costs be sooner paid.

6. Any offence against any of the provisions of this Act shall be prosecuted by warrant or summons before any Justice of the Peace, Police Magistrate, Stipendiary Magistrate, or Judge, having jurisdiction in the locality.

7. All the powers, privileges and immunities hereby granted to the said Joseph and François Lamoureux shall be vested in the said Joseph and François Lamoureux, their heirs and assigns.

8. Her Majesty, Her Heirs and Successors, may, at any time, assume the possession and property of the said Ferry and of all the right, privileges and advantages attached thereto (all which shall after such assumption be vested in Her Majesty, Her Heirs and successors) on giving to the party, or parties, holding the same, one month's notice thereof and on paying to

him, or them, the value of the same, to be fixed by three Arbitrators or the majority of them, one to be chosen by the Lieutenant Governor of the North West Territories in Council, another by the party, or parties, holding the same, and the third by the two first Arbitrators;–the Arbitrators having full power to consider in the valuation, the expenses incurred in connection with such Ferry, the traffic on the same, and its past and present and prospective business.

10. Nothing contained in this Act shall be deemed to affect the right of passage of any steamboats, vessels, boats and rafts up and down the stream.

11. The dimensions of the vessels used for the crossing of the ferry and the conditions on which the same shall be put in operation shall be subject to any regulations which may be made by the Lieutenant Governor in Council in regard to the same.

12. This Act shall be deemed a public Act

On the Motion of Honble. Mr. Dubuc.
Seconded by Honble. Mr. McKay,

Resolved,—That the Bill entitled: "An Act to authorize George McKay to construct and maintain a Toll Ferry over the South Branch of the South Saskatchewan River in the North West Territories" was read a second time and stand for a third reading at the next Meeting.

On the Motion of Honble. Mr. Dubuc.
Seconded by Honble. Mr. McTavish,

Resolved, That the Bill entitled an Act for the prevention of Prairie and Forest Fires was read a second time and stand for a Committee of the whole at the next meeting.

On the Motion of Honble. Mr. Dubuc.
Seconded by the Honble. Mr. Schultz,

Resolved, That the Bill entitled: "An Act respecting the granting of licenses for Bridges and Ferries in the North West Territories was read a second time and stand for a Committee of the whole at the next Meeting.

Moved by Honble. Mr. Girard.
Seconded by Honble. Mr. Dubuc.

Resolved,—That the Council go into a Committee of the whole on the Bill entitled "An Act to incorporate the Bishop of St. Albert.

Moved by Honble. Mr. Girard
Seconded by Honble. Mr. Dubuc

Resolved, That the Committee rise and report progress and sit again at the next Meeting and that Council adjourn until two o'clock P.M. of the following day the 26th November 1875.

November 26th, 1875.

Council met at two o'clock P. M. His Honor the Lieutenant Governor presiding.

PRESENT:

Honble. Messrs. McKay, Fraser, Schultz, Bown, Dubuc, Kennedy, Bannatyne, Girard.

At three o'clock the attention of the Council being drawn to the fact that there was not a quorum, His Honor the Lieutenant-Governor adjourned the Council until two o'clock P.M., of Monday, the 29th of November, 1875.

Monday, 29th November 1875.

Council met at two o'clock P.M. His Honor the Lieutenant-Governor presiding.

PRESENT

Honble. Messrs. McKay, Dubuc, Girard, Fraser, Bannatyne, Schultz, Bown, Kennedy, McTavish.

On the Motion of Honble. Mr. Dubuc

Seconded by Honble. Mr. Girard.

Resolved, That the Bill entitled "An Act to authorize George McKay to construct, maintain, and collect tolls for the crossing by a ferry across the South Branch of the Saskatchewan" was referred to a Committee of the whole. The Committee reported the Bill with an amendment which was concurred in and the Bill was then read a third time and passed under the title "An Act to authorize George McKay to construct, maintain and collect tolls for the crossing by a Ferry across the South Branch of the Saskatchewan. The said Act is as follows:—

An Act to authorize George McKay to construct and maintain a Toll Ferry over the South Branch of the Saskatchewan River in the North West Territories.

Whereas the construction of a Toll Ferry over the said River a navigable stream, the said Ferry being situated at or near the place where the present crossing, known as "Philippe Gariepy" crosses the said River, will greatly tend to promote the welfare and intercourse of Settlers, travellers, traders and others in the locality aforesaid.

And whereas George McKay of Prince Albert in the North-West Territories, farmer, desires to be authorized to construct, repair and maintain a Toll Ferry over the said South Branch of the Saskatchewan River.

Her Majesty by and with the advice and consent of the North-West Council, enacts as follows:

1. The said George McKay is hereby authorized to build, repair and maintain at his own cost and expense a good and substantial Ferry over the said South Branch of the Saskatchewan in the locality aforesaid—said Ferry to be completed before the thirty-first day of December 1876—and to have toll houses and also to do and execute all such other matters and things as shall be necessary and useful or advantageous for erecting and constructing, keeping up and maintaining the said Ferry, houses, ropes and approaches, and other dependencies according to the true intent and meaning of this Act.

2. During the continuance of the privileges by this Act conferred, it shall be lawful, for the said George McKay, to ask, demand, receive, take, sue for, recover, to and for his own proper use, benefit and behalf, for ferriage, as, or in the name, of Toll or duty, before any passage over the said Ferry shall be permitted, or after such passage, the several sums following, viz:

For every	vehicle drawn by one horse or ox....	20 cents.
" "	vehicle drawn by two horses or two oxen	30 "
" "	vehicle drawn by more than two horses or two oxen.....	50 "
" "	horse, cow or ox.....	10 "
" "	sheep, hog, calf or colt.....	8 "
" "	horse with its rider.....	20 "
" "	foot passenger	8 "
"	all articles or goods without a vehicle over 100 lbs., per 100 lbs.....	2 "

3. It shall be lawful for the said George McKay to diminish the said tolls or any of them, and then afterwards, if he sees fit, to augment the same or any of them, so as not to exceed in any case, the rates, by this Act authorized to be taken—and he shall affix or cause to be affixed in some conspicuous place at or near the said Ferry, or upon the said Ferry, a table of the

rates payable for passing over the said Ferry, and so often as such rates may be diminished or augmented he shall cause such alteration to be affixed in manner aforesaid.

4. If any person shall forcibly pass over or upon the said Ferry without paying the said toll or any part thereof, or shall interrupt or disturb the said George McKay or any person, or persons, employed by him in building or repairing the said Ferry every person so offending in each of the cases aforesaid, shall, for every such offence forfeit a sum not exceeding ten dollars, or, in default of payment be imprisoned for a period not exceeding ten days.

5. At all times so long as the said Ferry is passable or open for use of the public no person whatsoever shall erect, construct, or build or use any boats or rafts, of any description whatever, for the passage of any person, cattle, or vehicle whatsoever, for hire, across the said River within a distance of three miles of the said Ferry, and any person who shall build any boat, or raft, or use the same for ferriage over the said River within the limits aforesaid, or shall ferry, for hire within the limits aforesaid, shall, without prejudice to any proceedings which may be instituted against him, by the said George McKay, before any Court, to cause the said boats, rafts, or Ferries, to be destroyed, and to cause his privileges to be otherwise respected, pay to the said George McKay treble the tolls hereby imposed for all persons, cattle, horses and vehicles passing over such ferries, boats or rafts, or by means of any of them.

6. And the said George McKay to entitle himself to the benefit and advantage, to him, by this Act, granted, shall be bound to put the said Ferry into a good and safe condition for the passage of traders, travellers, cattle and vehicles, and, if the said Ferry, ropes, boats or other appurtenances of the said Ferry, should, by accident, or otherwise, be broken, lost, or destroyed, the said George McKay shall be bound to replace the same, within twelve months next following, the breaking, losing or destruction of the said ropes, boats or appurtenances, under penalty of forfeiture of the advantages, to him, by this Act, granted,—and during such time as the regular ferry is not in running order, by accident or otherwise, unless the said George McKay maintain a crossing of some kind, the privileges, hereby granted, shall cease to be in force until the regular ferry is in running order.

7. The penalties, hereby inflicted, shall, upon proof of the offence respectively before any one or more Justices of the

Peace, or Magistrates for the District, or before any other Court of competent jurisdiction, either by the confession of the offender or by the oath of one or more credible witness, or witnesses, which oath such Justice, Court, or Magistrate, is, hereby empowered and required to administer—be levied by distress and sale of the goods and chattels of such offender, by warrant, signed by such Justice or Justices of the Peace, or Magistrate, or issued by such Court; and, the overplus, after such penalties and the charges of such distress and sale are deducted, shall be returned, on demand, to the owner of such goods and chattels; and, such penalties shall belong to the said George McKay or his assigns.

8. All the powers, privileges and immunities hereby granted to the said George McKay, shall be vested in the said George McKay, his heirs, Executors and Assigns.

9. This Act and the provisions hereinbefore contained shall be in force for the period of ten years from the passing thereof.

10. Nothing contained in this Act shall be deemed to affect the right of passage, up and down the stream, of any steamboats, vessels, boats or rafts.

11. The dimensions of the vessels used for the crossing the said Ferry, and the conditions on which the same shall be put in operation, shall be subject to any regulations which may be made, from time to time, by the Lieutenant Governor in Council in regard to the same.

12. Her Majesty, Her Heirs and Successors may, at any time, assume the possession and property of the said Ferry and of all the rights, privileges and advantages attached thereto—all which shall after such assumption be vested in Her Majesty, Her Heirs and Successors—on giving to the party, or parties, holding the same one month's notice thereof, and on paying to them the value of the same to be fixed by three Arbitrators or the majority of them, one to be chosen by the Lieutenant Governor of the North West, another by the party, or parties holding the same, and the third by the two first Arbitrators: the Arbitrators having full power to consider in the valuation the expenses incurred in connection with the said Ferry, the traffic on the same, and its past, present and prospective business.

13. This Act shall be deemed a public Act.

On the Motion of Honble. Mr. Girard

Seconded by Honble. Mr. McTavish,

Resolved, That the Bill entitled "An Act for the prevention of Prairie and Forest Fires in the North West Terri-

tories" was referred to a Committee of the whole. The Committee reported the Bill with certain amendments which were concurred in and the Bill was then read a third time and passed under the Title "An Act for the prevention of Prairie and Forest Fires in the North West Territories." The said Act is as follows:—

An Act for the prevention of Prairie and Forest Fires in the North West Territories of the Dominion of Canada.

Whereas it is necessary to take steps for the prevention of Prairie and Forest Fires within the North West Territories.[1]

Her Majesty, by and with the advice and consent of the North West Council, enacts as follows:

1. Any person who shall kindle a fire with intent to let it run at large, shall, on conviction thereof, be fined in a sum not exceeding two hundred dollars, and in default of the payment thereof, shall be imprisoned for any term not exceeding twelve months.

2. Any person who shall kindle and leave a fire burning, without taking effectual means to prevent its spreading, shall on conviction thereof, be fined in a sum not exceeding one hundred dollars, and in default of the payment thereof, shall be imprisoned for a term not exceeding six months.

3. Any person who, between the 1st day of May and the 30th day of November in each year, by himself, his servants, or agents, or any one acting by or under his authority, shall, after cutting down the trees of any land, road allowances, or railway, or telegraph line or route, or the lands attached thereto in the North West Territories, in the process of clearing the same of timber for any purpose whatsoever, burn or set fire to the same for the purpose of disposing thereof, or making away therewith, or after cutting down any such trees, shall gather the same into log heaps for burning, and set fire thereto; or shall set fire to any such trees while lying on the ground after cutting or felling the same, or shall for any purpose whatever, set fire to any such tree while standing in the soil, shall, on conviction of any of the foregoing offences, be fined in a sum not exceeding two hundred dollars for each offence, and in default of the immediate payment thereof, shall be imprisoned in the common gaol for a term not exceeding twelve months.

4. In any prosecution under the provisions of this Act, whereby the conviction of the offender is secured, the informer

[1] This legislation with respect to fires is not dissimilar to but is more comprehensive than that enacted by the Council of Assiniboia.

shall be entitled to receive one half the amount of fine imposed.

5. None of the fines or penalties imposed by this Act, shall apply to any person who, through necessity to save himself and his property from running fires, shall be compelled to kindle a fire and allow it to run.

6. Nothing in this Act shall bar any party or parties from recovering damages from the party or parties mentioned in the first second and third clauses of this Act.

7. Prosecutions under this Act shall be summary, and may be brought by warrant before any Stipendiary Magistrate or Justice of the Peace, having authority to act on such, within any portion of the Territories where the offence is committed.

8. This Act shall not apply to any Indian who shall not be include or reside within those portons of the North West Territories which are comprehended within the limits of any of the Treaties made by the Commissioners of the Privy Council of Canada with the Indians.

9. This Act is hereby declared to be of urgent importance.

On Motion of the Honble. Mr. Dubuc

Seconded by the Honble Mr. Fraser,

Resolved, That further proceedings with the Bill respecting the granting of licenses for bridges and ferries in the North West Territories be postponed until next Session of Council.

Honorable Mr. Schultz asked to be permitted to introduce a Bill to repeal the Servants and Masters Act. The Bill was received.

Moved by the Honble. Mr. Girard

Seconded by the Honble. Mr. Dubuc,

Resolved, That the Committee rise, report progress and ask permission to sit again.

Moved by Honble. Mr. Girard

Seconded by Honble. Mr. Dubuc,

Resolved, That the Council do now adjourn and meet again on the 14th day of December 1875.

Wednesday, 14th December, 1875.

Council met at 2 o'clock P.M. His Honor the Lieutenant Governor presiding.

PRESENT

Honorable Messrs. Royal, Fraser, Tait, McKay, Dubuc, McTavish, Bannatyne, Smith, Breland, Girard, Delorme.

Honorable Mr. McTavish presented a Petition from the Hudson's Bay Company praying that they be permitted to construct and maintain a Toll Ferry across the Assiniboine River at Fort Ellice.

A Bill founded on said Petition was introduced by the Honble. Mr. McTavish and on motion was read a first and second time, and referred to a Committee of the Whole forthwith.

The Committee reported the same with certain amendments which were concurred in. The Bill was then read a third time and passed under the Title " An Act to authorize the Hudson's Bay Company to construct, maintain and collect tolls for the crossing by a Ferry across the Assiniboine River ". The said Act is as follows:—

An Act to authorize the Hudson's Bay Company to build and maintain a Toll Ferry over the Assiniboine River in the North-West Territories.

Whereas the construction of a Toll Ferry over the said River, a navigable stream, the said Ferry being situated at or near Fort Ellice, will greatly tend to promote the welfare and intercourse of Settlers, travellers, traders and others in the locality aforesaid.

And whereas the Hudson's Bay Company desires to be authorized to construct, repair and maintain a toll ferry over the said Assiniboine River.

Her Majesty, by and with the advice and consent, of the North-West Council, enacts as follows:—

The said Hudson's Bay Company is hereby authorized to build, repair and maintain, at its own cost and expense, a good and substantial Ferry over the said Assiniboine River in the locality aforesaid—said Ferry to be completed the 31st December 1876—and to have toll houses, and also shall be bound to execute all such other matters and things as shall be necessary and useful or advantageous for erecting and constructing, keeping up and maintaining the said Ferry, houses, ropes and approaches and other dependencies according to the true intent and meaning of this Act.

2. During the continuance of the privileges by this Act conferred, it shall be lawful for the said Honorable Hudson's Bay Company to ask, demand, receive, take sue for, recover to and for its own proper use, benefit and behalf, for ferriage, as, or in the name of toll or duty before any passage over the said

Ferry be permitted or after such passage, the several sums following, viz:—

For every	vehicle drawn by one horse or ox.....	20 cents.
" "	vehicle drawn by two horses or oxen..	30 "
" "	vehicle drawn by more than two horses or oxen	50 "
" "	horse, ox or cow	10 "
" "	sheep, hog, calf or colt.....	8 "
" "	horse with its rider.....	20 "
" "	foot passenger	8 "
" other	articles or goods without vehicle over one hundred pounds, per 100 lbs..	2 "

3. It shall be lawful for the said Hudson's Bay Company to diminish the said Tolls or any of them and then afterwards, if it sees fit, to augment the same or any of them, so as not to exceed in any case the rate by this Act authorized to be taken, and it shall affix or cause to be affixed in some conspicuous place at or near the said Ferry, a table of the rates payable for passing over the said Ferry, and so often as such rates may be diminished or augmented it shall cause such alteration to be affixed in manner aforesaid.

4. If any person shall forcibly pass over or upon the said Ferry without paying the said Toll or any part thereof, or shall interrupt or disturb the said Hudson's Bay Company or any person or persons employed by it in building or repairing the said Ferry or any road or avenue leading thereto or in the working of the said Ferry—every person so offending in each of the cases aforesaid, shall for every such offence, forfeit a sum not exceeding ten dollars, or in default of payment be imprisoned for a period not exceeding ten days.

5. At all times so long as the said Ferry is passable or open for use of the public, no person whatsoever shall erect, construct or build or use any boats or rafts of any description whatever for the passage of any person, cattle or vehicle whatsoever, for hire, across the said River within a distance of five miles of the said Ferry, and any person who shall build any boat or raft or use the same for ferriage over the said river within the limits aforesaid, or shall ferry, for hire, within the limits aforesaid, shall, without prejudice to any proceedings which may be instituted against him by the said Hudson's Bay Company, before any Court, to cause its privileges to be otherwise respected, pay to the said Hudson's Bay Company, treble the tolls hereby imposed for all persons, cattle, horses and vehicles passing over such ferries, boats or rafts or by means of any of them.

6. And the said Hudson's Bay Company to entitle itself to the benefit and advantage to it by this Act granted, shall be bound to put the said Ferry into a good and safe condition for the passage of traders, travellers, cattle and vehicles: and, if the said Ferry, ropes, boats or other appurtenances of the said Ferry should by accident or otherwise, be broken, lost or destroyed, the said Hudson's Bay Company shall be bound to replace the same, within twelve months next following the breaking, losing or destruction of the said ropes, boats, or appurtenances, under penalty of forfeiture of the advantages to it by this Act granted, and during such time as the regular Ferry is not in running order, by accident or otherwise, unless the said Hudson's Bay Company maintain a crossing of some kind the privileges hereby granted shall cease to be in force until the regular Ferry is in running order.

7. The penalties hereby inflicted, shall upon proof of the offence respectively before any one or more Justices of the Peace or Magistrate for the District, or before any other Court of competent Jurisdiction either by the confession of the offender or by the oath of one or more credible witness, or witnesses,—which oath such Justice, Court, or Magistrate, is hereby empowered and required to administer—be levied by distress and the sale of the goods and chattels of such offender by warrant signed by such Justice or Justices of the Peace or Magistrate or issued by such Court, and the overplus after such penalties and the charges of such distress and sale are deducted, shall be returned, on demand to the owner of such goods and chattels, and such penalties shall belong to the said Hudson's Bay Company or its assigns.

All the powers, privileges and immunities hereby granted to the said Hudson's Bay Company shall be vested in the said Hudson's Bay Company.

9. This Act and the provisions hereinbefore contained shall be in force for the period of ten years from the passing thereof.

10. Nothing contained in this Act shall be deemed to affect the right of passage up and down the stream of any steamboats, vessels, boats or rafts.

11. The dimensions of the vessels used for the crossing the said Ferry and the conditions on which they shall be put in operation shall be subject to any regulations which may be made, from time to time, by the Lieutenant Governor in Council in regard to the same.

12. Her Majesty, Her Heirs and Successors, may at any time, assume the possession and property of the said Ferry and

of all the rights, privileges and advantages attached thereto—all which shall, after such assumption be vested in Her Majesty, Her Heirs and Successors—on giving to the party or parties holding the same one month's notice thereof and on paying to them the value of the same to be fixed by three Arbitrators or the majority of them, one to be chosen by the Lieutenant Governor of the North West, another by the party or parties holding the same and the third by the two first arbitrators—the Arbitrators having full power to consider in the valuation the expenses incurred in connection with the said Ferry, the traffic on the same, and its past and present and prospective business.

13. This Act shall be deemed a public Act.

The Council then resolved itself into a Committee of the whole to consider the Bill entitled "An Act to incorporate Les Révérends Pères Oblats in the diocese of St. Albert", and after some time in Committee thereon, the Committee reported that they had considered the said Bill and made certain progress with regard thereto and asked leave to sit again at the next Session of Council—which was ordered.

The Council then adjourned.

(Sgd) FRANK G. BECHER,
A.C.N.W.C.

4. The North-West Territories Act, 1875.

Chap. 49.

An Act to amend and consolidate the Laws respecting the North-West Territories.

[*Assented to 8th April,* 1875.]

WHEREAS it is expedient to amend and consolidate the laws respecting the North West Territories; Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

GOVERNMENT AND LEGISLATION.

1. The Territories formerly known as "Rupert's Land" and the North-Western Territory, (with the exception of such

portion thereof as forms the Province of Manitoba), shall continue to be styled and known as the North-West Territories; and the word "Territories," in this Act, means the said Territories.

(2.) For the North-West Territories there shall be an officer styled the Lieutenant-Governor, appointed by the Governor General in Council, by instrument under the great seal of Canada, who shall hold office during the pleasure of the Governor General; and the Lieutenant-Governor shall administer the government under instructions from time to time given him by Order in Council, or by the Secretary of State of Canada:

2. Every Lieutenant-Governor so appointed shall, before assuming the duties of his office, make or subscribe before the Governor General or some person duly authorized to administer such oaths, an oath of allegiance or office similar to those prescribed to be taken by a Lieutenant-Governor, under "*The British North America Act,* 1867."

3. The Governor-General, with the advice of the Queen's Privy Council for Canada, by warrant under his privy seal, may constitute and appoint such and so many persons from time to time, not exceeding in the whole five persons,—of which number the Stipendiary Magistrates hereinafter mentioned shall be members *ex officio,*—to be a Council to aid the Lieutenant- Governor in the administration of the North-West Territories, with such powers, not inconsistent with this Act, as may be, from time to time, conferred upon them by the Governor General in Council; and a majority shall form a *quorum.*

4. The seat of government of the North-West Territories shall be fixed, and may, from time to time, be changed by the Governor General in Council.

5. There shall be payable out of the Consolidated Revenue Fund of Canada, the following sums, annually, that is to say:—

To the Lieutenant-Governor, not exceeding.....	$7,000
To the Stipendiary Magistrates, each, not exceeding..	3,000
To two members of Council, each, not exceeding..	1,000
To the Clerk of the Council, who shall also act as and perform the duties of Secretary to the Lieutenant-Governor, not exceeding.....	1,800

Together with such sums of money as may, from time to time, be fixed by the Governor in Council in respect of travelling allowances for any of the officers above named.

6. All laws and ordinances now in force in the North-West Territories, and not repealed by or inconsistent with this Act, shall remain in force until it is otherwise ordered by the Parliament of Canada, by the Governor in Council, or by the Lieutenant-Governor and Council under the authority of this Act.

7. The Lieutenant-Governor, by and with the advice and consent of the Council of the North-West Territories, may make, ordain and establish ordinances as to matters coming within the classes of subjects next hereinafter enumerated, that is to say:—

(1.) Taxation for local and municipal purposes;

(2.) Property and civil rights in the Territories;

(3.) The administration of justice in the Territories, including maintenance and organization of courts, both of civil and criminal jurisdiction, and including procedure in civil matters in these courts, but the appointment of any judges of the said courts shall be made by the Governor General in Council;

(4.) Public health;

The licensing of inns and places of refreshment;

Landmarks and boundaries;

Cemeteries;

Cruelty to animals;

Game and wild animals and the care and protection thereof;

Injury to public morals;

Nuisances;

Police;

Roads, highways and bridges;

The protection of timber;

Gaols and lock-up houses;

(5.) Generally, all matters of a merely local or private nature;

(6.) The imposition of punishment, by fine or penalty or imprisonment, for enforcing any ordinance of the Territories made in relation to any matter coming within any classes of subjects herein enumerated;

(7.) Provided that no ordinance to be so made by the Lieutenant-Governor with the advice and consent of the Council of the said Territories, shall,—(1) be inconsistent with or alter or repeal any provisions of any Act of the Parliament of Canada in Schedule B. of this Act, or of any Act of the Parliament of Canada, which may now, or at any time here-

after, expressly refer to the said Territories, or which or any part thereof may be at any time made by the Governor in Council applicable to or to be in force in the said North-West Territories; or, (2.) impose any fine or penalty exceeding one hundred dollars;

(8.) And provided that a copy of every such ordinance made by the Lieutenant-Governor and Council shall be mailed for transmission to the Governor General within ten days after its passing, and may be disallowed by him at any time within two years after its passing; provided also, that all such orders in Council, and all ordinances so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

8. The Governor in Council may, by proclamation, from time to time, direct that any Act of the Parliament of Canada, or any part or parts thereof, or any one or more of the sections of any one or more of any such Acts shall be in force in the North-West Territories generally, or in any part or parts thereof to be mentioned in the said proclamation for such purpose.

9. Provided further, that when and so often as any electoral district shall be established as hereinafter provided, the Lieutenant-Governor by and with the consent of the Council or Assembly, as the case may be, shall have power to pass ordinances for raising within such district by direct taxation, or on shop, saloon, tavern or any other such licenses, a revenue for local and for municipal purposes of such district, and for the collection and appropriation of the same in the promotion of such purposes respectively.

10. Whenever any electoral district shall be found to contain not less than one thousand inhabitants, the Lieutenant-Governor, by and with the consent of the Council or Assembly, as the case may be, may pass ordinances erecting the same into a municipal corporation or corporations as they may think fit: and thenceforth the power of the Lieutenant-Governor and Council or Assembly as herein conferred in respect of taxation for municipal purposes shall cease; and every such municipal corporation shall thenceforth have the right to pass by-laws for raising within such municipality by taxation a revenue for municipal purposes in such district, and for the collection and appropriation of the same in the promotion thereof; and the Lieutenant-Governor and Council or Assembly, as the case may be, shall pass an ordinance or ordinances prescribing the powers

and authorities which may be exercised by any such municipal corporation and the mode and extent of such taxation: Provided that the power herein given to the Lieutenant-Governor and Council or Assembly, as the case may be, of taxation for local purposes of such district shall not be prejudiced by the erection of the same into a municipality or municipalities, but such power shall continue vested in them in respect of local purposes not comprised within such municipal purposes as to which powers may be conferred by any ordinance or ordinances as aforesaid.

11. When, and so soon as, any system of taxation shall be adopted in any district or portion of the North-West Territories, the Lieutenant-Governor, by and with the consent of the Council or Assembly, as the case may be, shall pass all necessary ordinances in respect to education; but it shall therein be always provided, that a majority of the ratepayers of any district or portion of the North-West Territories, or any lesser portion or sub-division thereof, by whatever name the same may be known, may establish such schools therein as they may think fit, and make the necessary assessment and collection of rates therefor; and further, that the minority of the rate-payers therein, whether Protestant or Roman Catholic, may establish separate schools therein, and that, in such latter case, the ratepayers establishing such Protestant or Roman Catholic separate schools shall be liable only to assessments of such rates as they may impose upon themselves in respect thereof.

12. Any copy of any proclamation or order made by the Governor in Council, or ordinance, proclamation or order made by the Lieutenant-Governor and Council or Assembly, as the case may be, of the North-West Territories, printed in the *Canada Gazette,* or purporting to be printed by the Queen's Printer at Ottawa or Printer to the Government of Manitoba at Winnipeg, or to the Government of the North-West Territories, shall be *primâ facie* evidence of such proclamation or order, and that it is in force.

ELECTION OF MEMBERS OF COUNCIL OR ASSEMBLY.

13. When and so soon as the Lieutenant-Governor is satisfied by such proof as he may require, that any district or portion of the North-West Territories, not exceeding an area of one thousand square miles, contains a population of not less than one thousand inhabitants of adult age, exclusive of aliens or unenfranchised Indians, the Lieutenant-Governor shall, by procla-

mation, erect such district or portion into an electoral district, by a name and with boundaries to be respectively declared in the proclamation, and such electoral district shall thenceforth be entitled to elect a member of the Council or of the Legislative Assembly, as the case may be.

2. The Lieutenant-Governor shall thereafter cause a writ to be issued by the Clerk of the Council in such form and addressed to such Returning Officer as he thinks fit; and until the Lieutenant-Governor and Council of the Province otherwise provides, he shall by proclamation prescribe and declare the mode of providing voters' lists, the oaths to be taken by voters, the powers and duties of Returning and Deputy Returning Officers, the proceedings to be observed at such election and the period during which such election may be continued, and such other provisions in respect to such election as he may think fit.

3. The persons qualified to vote at such election shall be the *bonâ fide* male residents and householders of adult age, not being aliens, or unenfranchised Indians, within the electoral district, and shall have respectively resided in such electoral district for at least twelve months immediately preceding the issue of the said writ.

4. Any person entitled to vote may be elected.

5. When and so soon as the Lieutenant-Governor is satisfied as aforesaid, that any electoral district contains a population of two thousand inhabitants of adult age, exclusive of aliens or unenfranchised Indians, he shall issue his writ for the election of a second member for the electoral district.

6. When the number of elected members amounts to twenty-one, the Council hereinbefore appointed shall cease and be determined, and the members so elected shall be constituted and designated as the Legislative Assembly of the North-West Territories, and all the powers by this Act vested in the Council shall be thenceforth vested in and exercisable by the said Legislative Assembly.

7. The number of members so to be elected, as hereinbefore mentioned, shall not exceed twenty-one, at which number the representation shall remain; the members so elected shall hold their seats for a period not exceeding two years.

DESCENT OF REAL ESTATE.

14. Whenever any person dies seized in fee simple or for the life of another, of any real estate in the North-West Terri-

tories, without having lawfully devised the same, such real estate shall descend or pass by way of succession in manner following that is to say:—

Firstly, To his lineal descendants, and those claiming by or under them, *per stirpes;*

Secondly, To his father;

Thirdly, To his mother; and

Fourthly, To his collateral relatives,—

Subject in all cases to the rules and regulations hereinafter prescribed.

15. If the intestate leaves several descendants in the direct line of lineal descent, and all of equal degree of consanguinity to such intestate, the inheritance shall descend to such persons in equal parts, however remote from the intestate the common degree of consanguinity may be.

16. If any one or more of the children of such intestate be living, and any one or more be dead, the inheritance shall descend to the children who are living, and to the descendants of such children as have died, so that each child who shall be living shall inherit such share as would have descended to him if all the children of the intestate who have died leaving issue, had been living; and so that the descendants of each child who shall be dead shall inherit in equal shares the share which their parent would have received if living.

17. The rule of descent prescribed in the last preceding section shall apply in every case where the descendants of the intestate, entitled to share in the inheritance, shall be of unequal degrees of consanguinity to the intestate, so that those who are in the nearest degree of consanguinity shall take the shares which would have descended to them, had all the descendants in the same degree of consanguinty who have died leaving issue, been living, and so that the issue of the descendants who have died, shall respectively take the shares which their parents, if living would have received.

18. In case the intestate dies without lawful descendants, and leaving a father, then the inheritance shall go to such father, unless the inheritance came to the intestate on the part of his mother, and such mother be living; and if such mother be dead, the inheritance descending on her part shall go to the father for life, and the reversion to the brothers and sisters of the intestate and their descendants, according to the law of inheritance by collateral relatives, hereinafter provided; and

if there be no such brothers or sisters or their descendants living, such inheritance shall go to the father.

19. If the intestate dies without descendants and leaving no father or leaving a father not entitled to take the inheritance under the last preceding section, and leaving a mother and a brother or sister, or the descendant of a brother or sister, then the inheritance shall descend to the mother during her life, and the reversion to such brother or sister of the intestate as may be living and the descendants of such as may be dead, according to the same law of inheritance hereinafter provided; and if the intestate in such case leaves no brother or sister, nor any descendant of any brother or sister, the inheritance shall descend to the mother.

20. If there be no father or mother capable of inheriting the estate it shall descend, in the cases hereinafter specified, to the collateral relatives of the intestate; and if there be several of such relatives, all of equal degree of consanguinity to the intestate, the inheritance shall descend to them in equal parts, however remote from the intestate the common degree of consanguinity may be.

21. If all the brothers and sisters of the intestate be living, the inheritance shall descend to such brothers and sisters; and if any one or more of them be living, and any one or more be dead, then to the brothers and sisters and every of them who are living, and to the descendants of such brothers and sisters as have died, so that each brother or sister who may be living shall inherit such share as would have descended to him or her, if all the brothers or sisters of the intestate who have died leaving issue, had been living, and so that such descendants shall inherit in equal shares the share which their parent, if living, would have received.

22. The same law of inheritance as prescribed in the last section shall prevail as to the other direct lineal descendants of every brother and sister of the intestate, to the remotest degree, whenever such descendants are of unequal degree.

23. If there be no heir entitled to take under any of the preceding nine sections, then the inheritance, if the same came to the intestate on the part of his father, shall descend—

Firstly. To the brothers and sisters of the father of the intestate in equal shares, if all be living;

Secondly. If one or more be living, and one or more have died leaving issue, then to such brothers and sisters as are

living, and to the descendants of such of the said brothers and sisters as have died, in equal shares.

Thirdly. If all such brothers and sisters have died, then to their descendants; and in all such cases the inheritance shall descend in the same manner as if all such brothers and sisters had been the brothers and sisters of the intestate.

24. If there be no brothers or sisters, or any of them, of the father of the intestate, and no descendants of such brothers or sisters, then the inheritance shall descend to the brothers and sisters of the mother of the intestate, and to the descendants of such of the said brothers and sisters as have died, or if all have died, then to their descendants, in the same manner as if all such brothers and sisters had been the brothers and sisters of the father.

25. In all cases not herein provided for, where the inheritance came to the intestate on the part of his mother, the same, instead of descending to the brothers and sisters of the intestate's father, and their descendants, as prescribed in the preceding twenty-third section, shall descend to the brothers and sisters of the intestate's mother, and to their descendants, as directed in the last preceding section; and if there be no such brothers and sisters or descendants of them, then such inheritance shall descend to the brothers and sisters, and their descendants, of the intestate's father, as before prescribed.

26. In cases where the inheritance has not come to the intestate on the part of either the father or the mother, the inheritance shall descend to the brothers and sisters both of the father and mother of the intestate in equal shares, and to their descendants, in the same manner, as if all such brothers and sisters had been the brothers and sisters of the intestate.

27. Relatives of the half-blood shall inherit equally with those of the whole blood in the same degree, and the descendants of such relatives shall inherit in the same manner as the descendants of the whole blood, unless the inheritance came to the intestate by descent, devise or gift of some one of his ancestors; in which case all those who are not of the blood of such ancestors shall be excluded from such inheritance.

28. On failure of heirs under the preceding rules, the inheritance shall descend to the remaining next of kin of the intestate, according to the rules in the English statute of distributions of personal estate.

29. Whenever there is but one person entitled to inherit according to the provisions hereinbefore contained, he shall

take and hold the inheritance solely; and wherever an inheritance or a share of an inheritance shall descend to several persons under such provisions, they shall take as tenants in common in proportion to their respective rights.

30. Descendants and relatives of the intestate begotten before his death, but born thereafter, shall in all cases inherit in the same manner as if they had been born in the lifetime of the intestate, and had survived him.

31. Children and relatives who are illegitimate shall not be entitled to inherit under any of the provisions of this Act.

32. The estate of a widow as tenant in dower, shall not be affected by any of the provisions hereinbefore contained.

OTHER PROVISIONS AS TO REAL ESTATE.

33. Aliens may acquire, inherit, grant, lease and devise real estate within the North-West Territories.

34. All lands, tenements and hereditaments, and any share or interest therein shall, as regards the conveyance of the immediate freehold thereof, be deemed to lie in grant as well as in livery. Deeds of grant shall be executed and delivered in duplicate attested by one witness, and the execution and delivery thereof duly proved on oath, for the purpose of registration.

35. A feoffment, otherwise than by deed, shall be void at law; and no feoffment shall have any tortious operation.

36. Any corporation aggregate in the North-West Territories capable of taking and conveying land, shall be deemed to be capable of taking and conveying land by deed of bargain and sale in like manner as any person in his natural capacity.

37. No deed of bargain and sale of land in the North-West Territories, shall require enrolment or registration to supply the place of enrolment, for the mere purpose of rendering such bargain and sale a valid and effectual conveyance for passing the land thereby intended to be bargained and sold.

WILLS.

38. Every person may devise, bequeath, or dispose of, by will executed in manner hereinafter mentioned, all real estate and personal estate which he shall be entitled to, either at law or in equity, at the time of his death, and which, if not so devised ,bequeathed or disposed of, would devolve upon his heir at law, or upon his executor or administrator.

39. No will made by any person under the age of twenty-one years shall be valid.

40. No will shall be valid unless it shall be in writing, and executed in manner hereinafter mentioned; that is to say, it shall be signed at the foot or end thereof by the testator, or by some other person in his presence, and by his direction; and such signature shall be made or acknowledged by the testator in the presence of two or more witnesses, present at the same time; and such witnesses shall attest and shall subscribe the will in the presence of the testator—but no form of attestation shall be necessary.

41. Every will executed in manner hereinbefore required, shall be valid without any other publication thereof.

42. If any person who attests the execution of a will shall, at the time of the execution thereof, or at any time afterwards, be incompetent to be admitted a witness to prove the execution thereof, such will shall not on that account be invalid.

43. No person shall, on account of his being an executor of a will, be incompetent to be admitted a witness to prove the execution of such will, or a witness to prove the validity or invalidity thereof.

44. If any person shall attest the execution of any will, to whom, or to whose wife or husband, any beneficial devise or legacy affecting any real or personal estate (other than charges for payment of debts) shall be thereby given,—such devise or legacy shall so far only as concerns such person attesting the execution of such will, or the wife or husband of such person, or any person claiming under such person, wife or husband, be utterly null and void; and such person so attesting shall be admitted to prove the execution of such will, or the validity or invalidity of such will notwithstanding such devise or legacy.

45. No will or codicil, or any part thereof, shall be revoked otherwise than by marriage or by another will or codicil executed in manner hereinbefore required, or by some writing declaring an intention to revoke the same, and executed in the manner in which a will is hereinbefore required to be executed, or by the burning, tearing or otherwise destroying the same, by the testator, or by some person in his presence and by his direction with the intention of revoking the same.

46. Every will shall be construed with reference to the real and personal estate comprised in it to speak and take effect as if it had been executed immediately before the death of the testator, unless a contrary intention appears by the will.

47. Where any real estate is devised to any person without any words of limitation, such devise shall be construed to pass the fee simple, or other the whole estate or interest, which the testator had power to dispose of by will, in such real estate, unless a contrary intention shall appear by the will.

AS TO MARRIED WOMEN.

48. The real estate of any married woman, which is owned by her at the time of her marriage, or acquired in any manner during her coverture, and the rents, issues and profits thereof respectively, shall without prejudice, and subject to the trusts of any settlement affecting the same, be held and enjoyed by her for her separate use, free from any estate or claim of her husband during her lifetime, or as tenant by the courtesy, and her receipt alone shall be a discharge for any rents, issues and profits; and any married woman shall be liable on any contract made by her respecting her real estate, as if she were a *feme sole*.

49. All the wages and personal earnings of a married woman, and any acquisitions therefrom, and all proceeds or profits from any occupation or trade which she carries on separately from her husband, or derived from any literary, artistic or scientific skill, and all investments of such wages, earnings, moneys or property, shall hereafter be free from the debts or dispositions of the husband, and shall be held and enjoyed by such married woman, and disposed of without her husband's consent, as fully as if she were a *feme sole;* and no order for protection shall hereafter become necessary in respect of any such earnings or acquisitions; and the possession, whether actual or constructive of the husband, of any personal property of any married woman, shall not render the same liable for his debts.

50. A married woman may make deposits of money in her own name in any savings or other bank, and withdraw the same by her own check; and any receipt or acquittance of such depositor, shall be a sufficient legal discharge to any such bank.

51. Nothing hereinbefore contained in reference to moneys deposited, or investments by any married woman, shall, as against creditors of the husband, give validity to any deposit or investment of moneys of the husband made in fraud of such creditors; and any money so deposited or invested may be followed as if this Act had not passed.

52. A husband shall not by reason of any marriage, be liable for the debts of his wife contracted before marriage, but the wife shall be liable to be sued therefor, and any property belonging to her for her separate use shall be liable to satisfy such debts as if she had continued unmarried; and a husband shall not be liable for any debts of his wife in respect of any employment or business in which she is engaged on her own behalf, or in respect of any of her own contracts.

53. A married woman may maintain an action in her own name for the recovery of any wages, earnings, money and property, declared by this Act or which may be hereafter declared to be her separate property, and shall have in her own name the same remedies, both civil and criminal, against all persons whomsoever for the protection and security of such wages, earnings, money and property, and of any chattels or other her separate property, for her own use, as if such wages, earnings, money, chattels and property belonged to her as an unmarried woman; and any married woman may be sued or proceeded against separately from her husband, in respect of any of her separate debts, engagements, contracts or torts as if she were unmarried.

REGISTRATION OF DEEDS.

54. The Governor may appoint a Registrar of Deeds in and for the North-West Territories, who shall hold office during pleasure, and who shall reside and keep his office in a place to be named for that purpose in his commission, or at such other place as may be appointed for that purpose from time to time by the Governor in Council, and who shall register all deeds and other instruments relating to lands situate in any part of the North-West Territories, and which have been laid out and surveyed by the Crown: and the Governor in Council may order an annual salary, not exceeding two thousand dollars, to be paid to the said registrar: and the Lieutenant-Governor and Council shall fix the fees to be paid for the registration of all such deeds and instruments,—which fees shall be collected by the registrar, and being first verified on oath, shall by him be paid over to the Lieutenant-Governor, at the end of every quarter in each year, on account of the Consolidated Revenue Fund of Canada; and the forms incident to, and effect of such registration shall be governed by laws to be made under this Act.

ADMINISTRATION OF JUSTICE.

55. The Governor may appoint a Sheriff in and for the North-West Territories, who shall hold office during pleasure, and who shall reside, and keep his office in a place to be named for that purpose in his commission; or at such other place as may, from time to time, be named by the Governor in Council, and who shall perform the duties of such office under the laws then in force in the said Territories. The Governor in Council may order an annual salary not exceeding twelve hundred dollars to be paid to such sheriff.

56. The Lieutenant-Governor shall, (but subject to any orders in that behalf from time to time of the Governor General), have the local disposition of the Police Force in and for the North-West Territories, established under "*An Act respecting the Administration of Justice, and for the establishment of a Police Force in the North-West Territories,*" and of any Act passed or to be passed in amendment thereof; and may exercise such power in aid of the administration of civil and criminal justice, and for the general peace, order and good government of the said Territories, and for or in aid of the performance of all duties which are now, or may at any time, by any law or ordinance, or by order of the Lieutenant-Governor, be assigned to sheriff's officers, bailiffs, constables or other officers in connection with the orders or process of any Justice of the Peace, Stipendiary Magistrate, or court.

57. The Lieutenant-Governor may appoint Justices of the Peace for the North-West Territories, who shall have jurisdiction as such throughout the same.

58. The Lieutenant-Governor and Council or Assembly, as the case may be, may, by ordinance, subject to the provisions of this Act, from time to time, set apart any portion of the said Territories as and for a judicial district, and may, from time to time, alter the limits and extent of any such district.

59. A Court or Courts of Civil and Criminal Jurisdiction shall be held in the said Territories, and in every judicial district thereof when formed, under such names, at such periods and at such places as the Lieutenant-Governor may from time to time order.

60. For every such court there shall be a clerk, who may be appointed by the Governor, who shall hold office during pleasure, and be paid an annual salary, not exceeding five hundred dollars.

61. The Governor may, from time to time, appoint by commission under the great seal, one or more fit and proper person or persons, not exceeding three, to be and act as a Stipendiary Magistrate or Stipendiary Magistrates within the North-West Territories, who shall hold office during pleasure, and who shall reside at such place or places as may, from time to time, be ordered by the Governor in Council.

62. Each Stipendiary Magistrate shall have jurisdiction throughout the North-West Territories, as hereinafter mentioned, and shall also have jurisdiction and may exercise within the North-West Territories, the magisterial, judicial and other functions appertaining to any Justice of the Peace, or any two Justices of the Peace under any laws or ordinances which may, from time to time, be in force in the North-West Territories.

63. Each Stipendiary Magistrate shall preside over such courts in the North-West Territories as shall, from time to time, be assigned to him by the Lieutenant-Governor, and to qualify him to do so, he shall take the following oath before the Lieutenant-Governor or any Stipendiary Magistrate, that is to say:—

"I do swear that I will truly and faithfully execute the "several powers, duties and trusts committed to me by or "under '*The North-West Territories Act,* 1875,' without fear, "without favor, and without malice. So help me God."

64. The Chief Justice or any Judge of the Court of Queen's Bench of the Province of Manitoba, with any one of the Stipendiary Magistrates as an associate, shall have power and authority to hold a court under section fifty-nine, and therein to hear and determine as hereinafter mentioned, any charge preferred against any person for any offence alleged to have been committed within the North-West Territories, viz:—

1. In any case in which the maximum punishment for such offence does not exceed five years' imprisonment,—in summary way, and without the intervention of a jury;

2. In any case in which the maximum punishment for such offence exceeds five years' imprisonment but is not punishable with death,—then either in a summary way and without the intervention of a jury, if the accused assents thereto; or, if the accused demands a jury, then with the intervention of a jury not exceeding six in number, who shall be then and there, or as soon thereafter as can be, chosen and sworn by the judge or Stipendiary Magistrate, as a jury in such case;

3. In any case in which the punishment for such offence is death,—then with the intervention of a jury not exceeding eight in number, who shall be then and there or as soon thereafter as can be, chosen and sworn by the judge as a jury in such case;

4. And every such court shall be a court of record; and if imprisonment in gaol for not less than two years or in a penitentiary, be awarded in any case, the court may order the convict to be imprisoned in the North-West Territories, or to be conveyed to the penitentiary in the Province of Manitoba; and he shall in any such case, undergo such punishment therein, as if convicted in the Province of Manitoba;

5. The Lieutenant-Governor and Council or Assembly, as the case may be, may, from time to time, make any ordinance in respect to the mode of calling juries, and when and by whom and how they may be summoned or taken, and in respect of all matters relating to the same; but no grand jury shall be called in the North-West Territories;

6. On the first day of January and June in each year, each Justice of the Peace, Stipendiary Magistrate, and other Judge residing in the North-West Territories, or who has presided at any court therein, shall send in to the Lieutenant-Governor, in such form as he may prescribe, a return shewing all trials and proceedings, civil and criminal, had before him during the preceding six months.

65. A person convicted of any offence punishable by death may appeal to the Court of Queen's Bench of Manitoba, which shall have jurisdiction to confirm the conviction or to order a new trial; and the mode of such appeal and all particulars relating thereto, shall be determined from time to time by ordinance of the Lieutenant-Governor and Council or Assembly, as the case may be.

66. Any Stipendiary Magistrate of the said Territories, or the Chief Justice or any Judge of the Court of Queen's Bench of the Province of Manitoba, shall have power and authority to commit and cause to be conveyed to gaol in the Province of Manitoba, for trial by the Court of Queen's Bench according to the laws of criminal procedure in force in the said Province, any person or persons at any time charged with the commission of any offence against any of the laws or ordinances in force in the North-West Territories, punishable by death or imprisonment in the penitentiary; and the said Court of Queen's Bench or any judge thereof, shall have power and

authority to have any person arraigned before the said court on any such charge; and the jury laws and laws of criminal procedure of the said Province shall apply to any such trial, except that the punishment to be awarded upon conviction of any such person, shall be according to the laws in force in the North-West Territories: and the sentence may be carried into effect in a penitentiary or other place of confinement in the North-West Territories, or in the said Province, as if the same were in the North-West Territories.

67. Whenever any convict or accused person is ordered to be conveyed to gaol or to the penitentiary in Manitoba, any constable or other person in whose charge he is to be so conveyed, shall have the same power to hold and convey him, or to retake him in case of an escape, and the gaoler or warden of the penitentiary in Manitoba shall have the same power to detain and deal with him, in the said Province, as if it were within the North-West Territories, or as if the said convict or accused person had been ordered to be conveyed to such gaol or penitentiary, by some competent court or authority in the said Province.

68. Where it is impossible or inconvenient in the absence or remoteness of any gaol or other place of confinement, to carry out any sentence of imprisonment, any Justice of the Peace, or Stipendiary Magistrate, or the Chief Justice or any Judge of the Court of Queen's Bench of Manitoba, may, according to their several powers and jurisdictions, sentence such person so convicted before him or them, and sentenced, as aforesaid, to such imprisonment, to be placed and kept in the custody of the police force of the North-West Territories, with or without hard labour, the nature and extent of which shall be determined by the Justice of the Peace or Stipendiary Magistrate or Judge, by or before whom such person was convicted.

69. The Governor in Council may cause to be erected, in any part or parts of the North-West Territories, any building or buildings, or enclosure or enclosures, for the purpose of a gaol or lock-up, for the confinement of prisoners charged with the commission of any offence, or sentenced to any punishment therein; and confinement or imprisonment therein shall be held lawful and valid, whether under sentence of imprisonment in a penitentiary, gaol or other place of confinement.

70. Whenever in any Act of the Parliament of Canada in force in the North-West Territories any officer is designated

for carrying on any duty therein mentioned, and there shall be no such officer in the North-West Territories, the Lieutenant-Governor and Council may order by what other person or officer, such duty shall be performed; and anything done by such person or officer, under such order, shall be valid and legal in the premises; or if it be in any such Act ordered that any document or thing shall be transmitted to any officer, court, territorial division or place, and there is then in the said North-West Territories no such officer, court or territorial division or place, then the Lieutenant-Governor and Council may order to what officer, court or place such transmission shall be made, or may dispense with the transmission thereof.

ADMINISTRATION OF CIVIL JUSTICE.

71. Every Stipendiary Magistrate of the said Territories, and the Chief Justice and any Judge of the Court of Queen's Bench of Manitoba or any one of them, shall respectively have power, jurisdiction, and authority to hear and determine within the North-West Territories, and at a court held under section fifty-nine, any claim, dispute or demand as hereinafter mentioned, viz:—

1. Where the claim, dispute or demand is for a tort, wrong or grievance, in which the amount claimed does not exceed five hundred dollars, or if for a debt or on contract, in which the amount claimed does not exceed one thousand dollars, in a summary way and without the intervention of a jury;

2. In all other claims, disputes or demands than those above-mentioned, or for the recovery of the possession of real estate, if neither party demands a jury, in a summary way and without the intervention of a jury; but if either party demands a jury, then with the intervention of a jury not exceeding six in number, who shall be returned instantly by the clerk of the court to try the facts of the matter in dispute; and the Stipendiary Magistrate or Judge shall make such orders, judgments and decrees as appear to him just and agreeable to equity and good conscience: but neither the Stipendiary Magistrate nor any other judge or the court shall have cognizance of any action for any gambling debt or for any intoxicating liquor or intoxicant, or of any action by any person on a note of hand or other document, the consideration or any part of the consideration for which was for a gambling debt or for any such intoxicating liquor or intoxicant.

72. Every judgment of the Stipendiary Magistrate or presiding judge shall be openly pronounced in court as soon as may be after the hearing of the case, except that in any case where the Stipendiary Magistrate is not prepared to pronounce judgment *instanter,* he may postpone judgment and name a subsequent day and hour for the delivery thereof at the clerk's office in writing; and at such day and hour it shall be lawful for the clerk to read the judgment to the parties or their agents if present, and if not, then to enter the said judgment in their absence; and such judgment shall be as effectual as if rendered in court at the trial:

2. Execution of any such judgment shall be carried into effect in the manner prescribed by any ordinance of the Lieutenant-Governor and Council or Assembly, as the case may be, —or if no such ordinance be then in force, then in like manner as a judgment to the same amount in the Province of Manitoba.

73. Any person feeling himself aggrieved by the decision of any Stipendiary Magistrate, or presiding judge, or court, in a claim, dispute or demand under the second sub-section of the seventy-first section of this Act, may appeal to the Court of Queen's Bench of Manitoba, which shall have jurisdiction to confirm the decision or to order a new trial; and the mode of such appeal and all particulars relating thereto, shall be determined from time to time by ordinance of the Lieutenant-Governor and Council or Assembly, as the case may be.

PROHIBITION OF INTOXICANTS.

74. Intoxicating liquors and other intoxicants are prohibited to be manufactured or made in the said North-West Territories, except by special permission of the Governor in Council, or to be imported or brought into the same from any Province of Canada, or elsewhere, or to be sold, exchanged, traded or bartered, except by special permission in writing of the Lieutenant-Governor of the said Territories: and if any such intoxicating liquor or intoxicant is imported or manufactured or made in the said Territories, or brought into the same, or is sold, exchanged, traded or bartered, in contravention of this Act, it shall be absolutely forfeited, and may be seized by any officer of the customs or excise, or by any constable or other duly qualified person wheresoever found; and on complaint made before him, any Judge, Sti-

pendiary Magistrate, or Justice of the Peace, may, on the evidence of one credible witness that this Act has been contravened in respect thereof, order the said intoxicating liquor or intoxicant so seized, to be forthwith destroyed; or in case of the same not having been seized, then on complaint as aforesaid, such Judge, Stipendiary Magistrate, or Justice of the Peace, may issue a search warrant, as in cases of stolen goods under the Acts in force respecting the duties of Justices of the Peace out of Sessions in relation to persons charged with indictable offences, and upon the same being found, may cause them to be forthwith destroyed and the still, machinery, keg, barrel, case, box, package or receptacle whence or in which any intoxicating liquor or intoxicant has been manufactured, imported or made, sold, exchanged, traded or bartered, and as well that in which the original supply was contained as the vessel wherein any portion of such original supply was supplied as aforesaid, and the balance of the contents thereof, if such still, machinery, barrel, keg, case, box, package, receptacle or vessel aforesaid, respectively, can be identified, may be seized by any officer of the customs or excise, or by any constable or other duly qualified person, wheresoever found within the said Territories; and on complaint before any Judge, Stipendiary Magistrate or Justice of the Peace, he may on the evidence of any credible witness, that this Act has been contravened in respect thereof, declare such intoxicating liquor or intoxicant, still, machinery, vessel, or receptacle forfeited, and cause the same to be forthwith destroyed: and the person in whose possession any of them were found may be condemned to pay a penalty not exceeding one hundred dollars, nor less than fifty dollars, and the costs of prosecution; and one-half of such penalty shall belong to the prosecutor, and the other half to Her Majesty.

1. Any person who manufactures, makes, imports, sells, exchanges, trades or barters any intoxicating liquor, or intoxicant, except by special permission as aforesaid, or in whose possession, or on whose premises such intoxicating liquor or intoxicant of any kind may be or may have been found, shall be liable to a penalty not exceeding two hundred dollars, nor less than fifty dollars,—one-half of which shall go to the informer.

2. Any person who knowingly has in his possession any article, chattel, commodity or thing purchased, acquired, exchanged, traded or bartered, either wholly or in part, for any intoxicating liquor or intoxicant, shall forfeit and pay for

each offence a penalty not exceeding two hundred dollars, nor less than fifty dollars,— one-half of which shall go to the informer.'

3. Every article, chattel, commodity or thing, in the purchase, acquisition, exchange, trade or barter of which, the consideration either wholly or in part may be any intoxicating liquor or intoxicant, shall be forfeited to Her Majesty, and shall be seized as hereinbefore mentioned, in respect to any receptacle of any intoxicating liquor or intoxicant.

4. Every person who refuses or neglects to aid any constable, sub-constable, or other duly authorized person, in the execution of any act or duty required by this section, or who knowingly refuses to give information, or gives false information in respect to any matter arising therefrom, shall be subject to a penalty not exceeding two hundred dollars, nor less than fifty dollars,—one-half of which shall go to the informer.

5. The expression "intoxicating liquor" shall mean and include all spirits, strong waters, spirituous liquors, wines, fermented or compounded liquors, or intoxicating fluids; and the expression "intoxicant" shall include opium, or any preparation thereof, and any other intoxicating drug or substance, and tobacco or tea mixed, compounded or impregnated with opium, or with any other intoxicating drug, spirit or substance, and whether the same or any of them be liquid or solid.

6. Any penalty incurred under this section shall be recoverable, with costs of prosecution, by summary conviction on the evidence of one credible witness, before any Judge, Stipendiary Magistrate or Justice of the Peace having jurisdiction in the North-West Territories,—who shall, on payment of the same, pay the informer his share thereof; and in case of non-payment of the penalty and costs immediately after conviction, the convicting Judge, Magistrate or Justice may, in his discretion, levy the same by distress and sale, or commit the person so convicted and making default in payment of the said penalty and costs, to any common gaol or house of correction or lock-up house within the North-West Territories for a period not exceeding six months, unless the said penalty and costs be sooner paid.

7. And upon conviction for a second offence, the offender shall be liable to a penalty, not less than two hundred and not exceeding four hundred dollars, and, in the discretion of the

convicting judge, magistrate or justice, to imprisonment for a period not exceeding six months.

8. No seizure, prosecution, conviction or commitment under this Act shall be invalid on account of want of form so long as the same is according to the true intent and meaning of this Act.

9. Intoxicating liquors imported or brought into the North-West Territories from any Province of Canada or elsewhere, by special permission in writing of the Lieutenant Governor of the said Territories, are subject to the several customs and excise laws of Canada, if in excess of one gallon.

75. Nothing in this Act shall affect the provisions of an Act passed in the thirty-seventh year of Her Majesty's reign, entitled "*An Act to amend certain Laws respecting Indians, and to extend certain Laws relating to matters connected with Indians, to the Provinces of Manitoba and British Columbia.*"

76. The several Acts and parts of Acts mentioned and contained in Schedule A., of this Act, if not expired, are hereby repealed; but such repeal shall not affect any duty accrued, right acquired, or penalty, forfeiture or liability incurred under the said Acts, or any of them, or any offence committed under any or either of them.

77. The several Acts and parts of Acts mentioned and contained in Schedule B, of this Act, as limited in the said schedule, shall apply to and be in force in the North-West Territories; but except the Acts mentioned and contained in Schedule B to this Act, and except such Acts of the Parliament of Canada or any part or parts thereof as may, under the eighth section of this Act, be made applicable to the North-West Territories, no Act of the Parliament of Canada heretofore passed, and no part thereof, shall apply to or be in force in the said Territories; and no Act of Parliament hereafter to be passed and no part thereof, shall apply to or be in force in the said Territories, unless the same be, by any such Act or under the eighth section of this Act, made applicable to or of force in the said Territories.

78. This Act shall come into force and effect upon, from and after such day as shall be named in a proclamation to be issued by the Governor in Council for that purpose.

79. This Act may be cited as "*The North-West Territories Act,* 1875."

SCHEDULE A.

Acts and parts of Acts of the Parliament of Canada, expired or repealed.

Section.	Chapter.	TITLE.
		32, 33 *Victoria*, 1869.
5 and 6	3	An Act for the temporary government of Rupert's Land and the North-Western Territory, when united with Canada.
		33*rd Victoria*, 1870.
35	3	An Act to amend and continue the Act 32 and 33 Victoria, Chapter 3, and to establish and provide for the government of the Province of Manitoba.
		34*th Victoria*, 1871.
5	10	An Act to amend the Acts relating to duties of Customs.
	16	An Act to make further provision for the government of the North-West Territories.
2	29	An Act to continue for a limited time the Acts therein mentioned.
		36*th Victoria*, 1873.
	5	An Act to amend the Act entitled: "An Act to make further provision for the Government of the North West Territories."
	34	An Act further to amend the "Act to make further provision for the government of the North West Territories."
1 to 9	35	An Act respecting the Administration of Justice, and for the establishment of a Police Force in the North-West Territories.
1	39	An Act to make further provision as to duties of Customs in Manitoba and the North-West Territories. (*In so far as the same refers to the North-West Territories.*)
		37*th Victoria*, 1874.
2	7	An Act to amend "An Act to make further provision as to duties of Customs in Manitoba and the North-West Territories," and further to restrain the importation or manufacture of Intoxicating Liquors into or in the North-West Territories.

SCHEDULE B.

Acts of the Parliament of Canada extended to the North-West Territories.

Chapter.	TITLE.
	31*st Victoria*, 1867-1868.
1	An Act respecting the Statutes of Canada.
6	An Act respecting the Customs.
7	An Act imposing duties of customs with the tariff of duties payable under it. *As amended by subsequent Acts.*
8	An Act respecting the Inland Revenue.
	31*st Victoria*, 1867-1868.
10	An Act respecting the regulation of the Postal service. *Or any Act amending it or substituted for it.*
12	An Act respecting the public works of Canada. *As amended by any subsequent Act.*
14	An Act to protect the inhabitants of Canada against lawless aggression from subjects of foreign countries at peace with Her Majesty.
15	An Act to prevent the unlawful training of persons to the use of arms, and the practice of military evolutions, and to authorize Justices of the Peace to seize and detain arms collected or kept for purposes dangerous to the public peace.
36	An Act respecting commissions, and oaths of allegiance and of office.
69	An Act for the better security of the Crown and of the Government. *As amended by* 32, 33 *Vict., chap.* 17.
70	An Act respecting riots and riotous assemblies.
71	An Act respecting forgery, perjury and intimidation in connection with the Provincial Legislatures and their Acts.
72	An Act respecting Accessories to and Abettors of indictable offences.
73	An Act respecting the Police of Canada.
74	An Act respecting persons in custody charged with high treason or felony.
94	An Act respecting the Treaty between Her Majesty and the United States of America, for the apprehension and surrender of certain offenders. *As amended by* 33 *Vict., chap.* 25.
	32, 33 *Victoria*, 1869.
18	An Act respecting offences relating to the Coin.
19	An Act respecting Forgery.
20	An Act respecting Offences against the Person.
21	An Act respecting Larceny and other similar offences. *As amended by any subsequent Act.*
22	An Act respecting Malicious Injuries to Property. *As amended by* 35 *Vict., chap.* 34.
23	An Act respecting Perjury. *As amended by* 33 *Vict., chap.* 26.
24	An Act for the better preservation of the peace in the vicinity of Public Works. *As amended by* 33 *Vict., chap.* 28.
27	An Act respecting Cruelty to Animals. *As amended by* 33 *Vict., chap.* 29.

SCHEDULE B.—*Continued.*

Chapter.	TITLE.
	32, 33 *Victoria*, 1869.
29	An Act respecting Procedure in Criminal Cases, and other matters relating to Criminal Law,—sections 1 to 7, both inclusive, relating to the apprehension of offenders; sections 81 to 87, both inclusive, relating to the punishment of offences; and sections 125 to 138, both inclusive, relating to pardons, undergoing sentence, limitation of actions and prosecutions, and general provisions. The whole Act will apply in Manitoba, to offences committed in the North-West Territories, but triable in Manitoba and to the persons committing them.
30	An Act respecting the duties of Justices of the Peace out of Sessions in relation to persons charged with indictable offences,—so far as respects indictable offences, committed in the North-West Territories and triable in Manitoba or committed in some Province of Canada, and the offender is apprehended in the North-West Territories.
31	An Act relating to the duties of Justices of the Peace out of Sessions in relation to summary convictions and orders. Except so much of this Act (or of any Act amending it) as gives any appeal from any conviction adjudged or made under it.
	33*rd Victoria*, 1870.
9	An Act to amend the Acts respecting Customs and Inland Revenue; and to make certain provisions respecting vessels navigating the Inland waters of Canada above Montreal.
25	An Act to amend the "Act respecting the extradition of certain offenders to the United States of America."
28	An Act to amend "An Act for the better preservation of the peace in the vicinity of Public Works."
29	An Act to amend "An Act respecting cruelty to animals."
	34*th Victoria*, 1871.
4	An Act to establish one uniform currency for the Dominion of Canada.
	35*th Victoria*, 1872.
1	An Act to amend the Act respecting the Statutes of Canada.
23	An Act respecting the Public Lands of the Dominion.
24	An Act to remove doubts under the Act respecting the Public Works of Canada.
33	An Act for the avoidance of doubts respecting Larceny of Stamps.
34	An Act to correct a clerical error in the "Act respecting malicious injuries to property."
	36*th Victoria*, 1873.
3	An Act to amend the "Act respecting Procedure in Criminal Cases."
50	An Act to amend the "Act respecting Offences against the Person."
51	An Act further to amend the law respecting certain matters of procedure in Criminal Cases.

SCHEDULE B.—*Continued.*

Chapter.	Title.
	37th Victoria, 1874.
13	An Act to amend "An Act respecting the Public Works of Canada."
14	An Act to provide for the construction of the Canadian Pacific Railway.
19	An Act to amend the "Dominion Lands Act."
	38th Victoria, 1875.
	Any Act of the present Session amending or substituted for any Act mentioned in this Schedule.

5. A Constitutional Question.[1]

1. Resignation of Advisory Council, Oct. 29, 1889.

LEGISLATIVE ASSEMBLY,
REGINA, N.W.T., 29th October, 1889.

To His Honor the Lieutenant-Governor of the North-West Territories.

SIR,—We have the honor to tender our resignations as Members of your Advisory Council. We have come to this decision reluctantly and only after serious consideration.

While recognizing that your Honor has on the whole carried out the position which was accepted last year, there have been some departures from that position, which we cannot accept responsibility for. These matters do not involve any serious departures from the general principles adopted by us, but they do in our opinion involve the Council and lay us open to censure for at least grave faults of administration.

We fully appreciate the practical difficulties in the way of carrying out an anomalous system like the present and have always been ready to make the best of an imperfect machinery.

The attitude of the Assembly has not helped to lighten the burden imposed upon us. Ever ready to criticise, and always prone to judge us by the standard of the ideal system, which they wished for, they have not given us that liberal support which in the nature of things we might reasonably have hoped for.

Knowing this feeling of the Assembly and being with the rest of our fellow Members jealous of the rights, which were granted to us, we are naturally more sensitive to criticism than under a more completely responsible system there would be any necessity for.

The constant discussions at Council meetings on the general theory of our constitution showed us plainly that your Honor only conceded what we claimed as a right.

[1] The documents in this section are taken from the Journals of the Legislative Assembly and of the Council of the North West Territories.

While differing from your Honor on this matter, we are ready to acknowledge the generous spirit in which your Honor yielded control in matters which you believed were entirely within your own personal province.

But in so important a matter as the construction of the Act under which we have our existence as a Council, such a grave difference of opinion can only lead to friction, which must inevitably destroy our usefulness.

We therefore tender our resignations, because we cannot continue to work under a system in which our most important powers are only granted to us in the form of concessions, and because we are unwilling to accept responsibility without a corresponding right of control.

We believe that our withdrawal from the Council will tend to bring about a more definite understanding with regard to the various powers and authorities of the Territories, and we can assure your Honor that our successors, if true to the general policy outlined by yourself last year, will always receive from us a loyal and generous support.

In conclusion, let us assure your Honor of our most grateful appreciation of your Honor's personal kindness to all of us, and of the continuance of loyalty and attachment on our part.

We are,
Your Honor's obedient Servants.

F. W. G. HAULTAIN.
W. SUTHERLAND.
D. F. JELLY.
HILLYARD MITCHELL.

2. *Letter from Lieutenant Governor Royal to Mr. F. W. G. Haultain, Oct. 31, 1889.*

GOVERNMENT HOUSE,
REGINA, 31st October, 1889.

MY DEAR MR. HAULTAIN,—In your letter of the 29th instant, containing the resignations of the Members of the Advisory Board, I notice the following:—"These matters do not involve any serious departures from the general principles

adopted by us, but they do in our opinion involve the Council and lay us open to censure for at least grave faults of administration."

As I fail to remember exactly what are these "departures" which constitute, I suppose, "the grave faults of administration," would you be so kind as to refer specifically to these "grave faults" and assist me in refreshing my memory.

Believe me,

Dear Mr. HAULTAIN,

Yours very sincerely,

J. ROYAL,
Lieutenant-Governor, *N.W.T.*

F. W. G. Haultain, Esq., *M.L.A.*,
Regina.

3. *Minute by His Honor the Lieutenant-Governor.*

GOVERNMENT HOUSE,
REGINA, N.W.T., Tuesday, 5th November, 1889.

Whereas by Section 13 of Chap. 19, Vic. 51, it is enacted that the Lieutenant-Governor shall select from among the elected Members of the Legislative Assembly four persons to act as an Advisory Council on matters of finance, who shall severally hold office during pleasure, I do hereby under the provisions of the said Act select from the elected Members of the Legislative Assembly in the place of and room of the four Members selected on the 2nd November, 1888, and who have since resigned, the following four persons to act as such Council, namely:—

Robert George Brett, Esquire, Member for Red Deer;
John Felton Betts, Esquire, Member for Prince Albert;
David Finlay Jelly, Esquire, Member for North Regina;
Benjamin Parkyn Richardson, Esquire, Member for Wolseley.

J. ROYAL,
Lieutenant-Governor.

4. Statement to the Assembly by Mr. Brett, 5th November, 1889.

The Council of His Honor's Advisers, formed under the Law, will exercise the functions of an Executive in matters affecting the Territorial Finances *only,* as well as in the discharge of the duties assigned by the Ordinances to the Lieutenant-Governor in Council.

On the other hand, and in order that the requirements of the Country, as made known by the Members of this Legislature, may be met as fully as possible, I am authorized to state that it is the intention of His Honor to continue in consulting and seeking the advice of the Council upon all matters of the administration of public affairs, and to comply, as in the past, with the recommendations of the House in a liberal and constitutional spirit.

5. Letter from R. G. Brett to Lieutenant-Governor Royal, November 11, 1889.

LEGISLATIVE ASSEMBLY,
REGINA, N.W.T., Nov. 11th, 1889.

To His Honor the Lieutenant-Governor of the North-West Territories:

SIR,—In consequence of the House having adopted at its last sitting the following Resolution, viz:

"That the position assumed by the Advisory Council, as "set out in the statement of their leader, when announcing "the same, was assumed contrary to the wishes of this Assembly, "and the Advisory Council do not possess the confidence of "the Assembly."

I beg leave to tender Your Honor my resignation and that of my colleagues.

While believing that the position we have taken on this question is in strict accordance with Law and the interests of the Territories, at the same time we feel you are entitled to this action on our part.

I have the honor to be,

Your obedient servant,

R. G. BRETT.

6..Letter from Lieutenant-Governor Royal to R. G. Brett, Nov. 12, 1889.

GOVERNMENT HOUSE,
REGINA, November 12th, 1889.
10 o'clock a.m.

Dr. R. G. Brett, M.L.A., Regina:

MY DEAR SIR,—I am in receipt of your letter received yesterday forenoon, tendering your resignation and that of your colleagues, as Members of the Advisory Council, in consequence of the Legislative Assembly having adopted at its last meeting a resolution expressing its want of confidence in you and your colleagues for having assumed the position contrary to the wishes of the majority of the Assembly.

The question is one of Law, and having after due consideration requested you to assist me in carrying on the affairs of the Country according to the statute, I must decline to accept your resignation in the absence of any act showing that you have proved yourselves unworthy of the trust reposed in you.

If the regime, as established by Law, seems capable of amelioration, constitutional means may effectually be resorted to.

Territorial matters alone are intended by the statute to be placed under the control of the Assembly, and it is only in the event of you administering such affairs in opposition to the wishes of a majority of the House that your resignation as Members of the Executive, can be entertained.

I have selected you in the terms of the Law, and this prerogative would be very seriously impaired if you were to be denounced without waiting to see your acts.

At the last Session of this Assembly, I invited the representatives of the people to work cordially with the Council, in order to make the best possible form of government, with the temporary and necessarily imperfect elements placed by Parliament at our disposal.

It is my sincere belief that the unmistakable signs of confidence and satisfaction expressed by the Country, have gone far to prove that our efforts were crowned with success. Nevertheless the very liberal concessions made seemed of late to have failed in satisfying the Assembly, and impossibilities, with the present machinery, appear to have been imperatively

insisted upon both by the House and the first Advisory Council, finally leading the latter to resign before their action had been constitutionally dealt with by the Assembly.

Under these circumstances no other course was left open to me but to enter within the safe lines of the Law, and with the assistance of another Council, formed by another method, to administer the public affairs in full accord with the requirements of the Country and in strict agreement with the Law, as I find it on the Statute Book.

Having fully weighed all these facts and considerations and keeping the public interest steadily in view, I regret not being able to relieve you from the grave duty which you, as loyal citizens, owe to the Law and to your Country.

I have the honor to remain, my dear sir,

Your very obedient servant,

J. ROYAL,
Lieutenant-Governor North-West Territories.

7. Letter from R. G. Brett to Lieutenant-Governor Royal, Nov. 15, 1889.

LEGISLATIVE ASSEMBLY,
REGINA, 15th November, 1889.

To His Honor the Lieutenant-Governor of the North-West Territories.

SIR,—In consequence of a majority of the Assembly refusing to consider the Estimates for the year 1889-90 as prepared by your Honor's Advisory Council and submitted to the House on the 14th instant, I must press upon your Honor, the acceptance of the resignation of myself and colleagues..

Upon general questions we fully adhere to the views expressed by me when accepting office, and are still of opinion that, while in Territorial matters the Advisory Council should possess the confidence of the House, the Council cannot according to the true construction of the Law be held in any way responsible for the expenditure of the Dominion Funds. Upon this point a difference of opinion prevails amongst the mem-

bers of the Assembly and an adverse vote has consequently been given upon our first executive act.

In taking this step, we hope it may tend to further the work of the Session and if possible remove the obstruction placed by the Assembly by refusing to vote the Territorial funds necessary for the carrying on of the affairs of the Country.

In thus expressing ourselves, we also desire to convey to your Honor our thanks for the consideration you have always given to our suggestions and to assure your Honor that our highest aim shall be to assist in every way possible towards carrying on the Territorial Government to the fullest possible extent under the powers granted us.

I have the honor to be, Sir,

Your obedient servant,

R. G. BRETT.

8. Letter from Lieutenant-Governor Royal to R. G. Brett, Nov. 16, 1889.

GOVERNMENT HOUSE,
REGINA, 16th November, 1889.

MY DEAR SIR,—I have received your letter of the 15th instant, in which you press upon me the acceptance of your resignation and that of your colleagues, as Members of the Advisory Council, in consequence of a majority of the Assembly refusing to consider the Territorial Estimates for the current year submitted by you to the Legislature. Your first executive act having failed to secure the support of the Assembly, I deem it my duty to accept your resignation.

I trust the course now adopted by you will tend to convince your friends of the constitutional propriety of the position, which, under our existing circumstances, you and your colleagues had assumed.

Believe me,

Your very obedient servant,

J. ROYAL,
Lieutenant-Governor of N.W.T.

Dr. R. G. Brett, M.L.A., Regina.

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9. Letter from Lieutenant-Governor Royal to Thomas Tweed, November 20, 1889.

GOVERNMENT HOUSE,
REGINA, 20th November, 1889.

Mr. Dear Sir,—I regret that the several interviews had with Mr. CLINKSKILL, Tuesday afternoon and with you and Messrs. CLINKSKILL, CAYLEY and NEFF yesterday have failed to bring about what I must suppose to be the object of every one, namely, the formation of an Advisory Council in accord with the majority of the Assembly.

After a consultation with your friends about our last interview, you came back accompanied by the three gentlemen above named and handed me a slip of paper, which you informed me contained the propositions upon which alone a Council might count upon the support of a majority. I must confess that after the exhaustive explanation made during our interviews I did not expect to find ourselves at the point, where we had started at our first meeting in the morning. Be that as it may, the propositions which you communicated to me are as follows:—

1st. "Full accounts of 1888-89 according to vote, as shown by Ordinance No. 8 of 1888."

If as stated by you, your contention is that you should have the Federal accounts in order to criticise and investigate them, a right that you appear to claim under the Appropriation Ordinance of 1888, in which several Federal items were allowed to be included, I will say, regarding this contention, that, according to my interpretation of the amended North-West Territories Act, the Territorial Accounts are the only accounts which the Assembly seems to have the right to examine, and investigate and inquire into, and such accounts have been duly laid before the Assembly by order of the Lieutenant-Governor.

While it is correct to assert that certain items already voted by the Dominion Parliament for expenses of the North-West Government were embodied by the Assembly in its Appropriation Ordinance of 1888, the insertion of these items could not, in my view, imply anything more than an expression of the opinion of the Assembly respecting the apportionment of these moneys, by reason of the fact that the Assembly had not in my view any right to control their expenditure, or

to alter, or divert any portion from the purposes, for which they were originally voted. As far as the moneys voted by the Dominion Government for expenditure under the head of Roads and Bridges were concerned, I will call your attention to the fact that a plan to have the whole sum both Territorial and Federal voted for that service equally divided amongst the Members elected was recommended by the Assembly. Believing that the interests of the people might be thus better served, I agreed that this course should be pursued and I allowed the Federal Funds under that head to be added to the Territorial Fund appropriated for that purpose, thereby insuring for each district a much larger sum for expenditure under the advice of the various Members of the Assembly.

Permit me to say that I cannot but express my regret at the difficulties which have arisen of late in consequence of the course then adopted. And in order to avoid in the future any misconception and the giving of any grounds for claiming as rights, what were merely concessions, I took occasion upon the resignation of the first Advisory Council, to state what appeared to me to be the legal rights and duties of the Council. See my letter to Dr. Brett of the 12th instant. It may not be out of place to notice here that my letter to Mr. HAULTAIN, concerning the specific causes of his, and his colleagues' resignation dated the 29th of October last, is as yet without an answer.

2nd. Your second proposition is that "the Estimates to "be communicated to the Assembly contain the full amount "of the Dominion Vote for Territorial purposes for 1889-"90."

On the 13th instant I sent a message to the Assembly with the Territorial Estimates for 1889-90, but I did not include any of the Dominion items of expenditure for the same period, because, as I have before stated, the Assembly is not in my view of the Law entitled to have included in the Territorial Estimates a statement of any of the sums already voted by the Dominion Parliament.

3rd. Your third proposition is that "all the moneys both "Federal and Territorial are to be voted by the Assembly and "expended by the Advisory Council."

I have upon every occasion shown that I admitted the proposition, and I am still of opinion, that under the present Law all the Territorial moneys should be voted by the Assembly

and expended under the authority and responsibility of the Advisory Council.

As far as Federal moneys are concerned, I must hold that the Law requires me to expend them under the direction of the Dominion Government and not under the direction of the Assembly.

I must therefore express my regret that under the Law, as I read it in the Statute Book, I cannot accede to this portion of your last proposition.

I sincerely hope and trust that some way be found out of the present difficulties, so that the business of the Territories may not suffer in consequence.

I have the honor to be,

Sir,

Your very Obedient Servant,

J. ROYAL,
Lieutenant-Governor, N.W.T.

T. Tweed, Esq., M.L.A.,
REGINA.

10.—Motion of Mr. Thorburn with amendment in the Legislative Assembly, Nov. 20, 1889.

Moved by Mr. THORBURN, seconded by Mr. NEFF.

1. That whereas, on Saturday, November 9th, a vote of want of confidence in the Advisory Council was passed by this House on a division of 13 to 8;

2. And whereas, in consequence of such vote, the Advisory Council tendered their resignation to His Honor the Lieutenant-Governor;

3. And whereas, His Honor the Lieutenant-Governor refused to accept the resignation of his Council, and the Council have persisted in retaining office;

4. And whereas, a full account of the moneys voted to Her Majesty by this Assembly at its last Session, for the public uses of the Territories, has not as yet been rendered to this Assembly by the Advisory Council selected by His Honor the Lieutenant-Governor to assist him in matters of finance;

5. And whereas, at the last Session of this Assembly $105,-484.90 was voted (see Ordinance No. 8 of 1888), and the statement of expenditure brought before the Assembly only accounts for $18,078.74;

6. And whereas, on Thursday, November 16th, on motion made by the leader of the Advisory Council to consider of the supply for the current year, an amendment was moved to the effect that this House do not consider of any further supply, until an account has been rendered of the sums voted last Session;

7. And whereas, this amendment was opposed by the Members of the Advisory Council, and was carried by a vote of twelve to seven;

8. And whereas, the result of this vote proved that the advice tendered by the Advisory Council to His Honor the Lieutenant-Governor was not in accordance with the wish of this Assembly;

9. And whereas, the Estimates laid on the Table of this House do not meet with the approval of the House, inasmuch as they do not include the amounts voted by the Parliament of Canada at its last Session for expenses of Government, etc., in the North-West Territories;

10. And whereas, on Friday, November the 15th, an humble address was adopted by the Assembly, requesting that His Honor the Lieutenant-Governor be pleased to accept the resignation of the present Advisory Council and select another Council;

11. And whereas, His Honor has paid no attention to this humble address, but, in opposition to the wishes of the Assembly, retains his present Council in office; and as the Assembly cannot accept the financial propositions of a Council in whom it has no confidence, the public business is being delayed;

12. And whereas, the continuance in office of a Council not possessing the confidence of the Assembly was a gross violation of the rights and privileges of the Assembly;

13. Therefore be it *Resolved* that an humble address be presented to His Honor the Lieutenant-Governor, praying that he will cause this Resolution to be transmitted by telegram to-day to the Right Honorable the President of the Privy Council of Canada.

And the question being put, it was moved in amendment by Mr. Haultain, seconded by Mr. Cayley, that all the words after the word "That" to the end of the question be struck out and the following substituted therefor:—

1. That whereas, on Saturday, November 9th, a vote of want of confidence in the Advisory Council was passed by this House on a division of 13 to 8;

2. And whereas, in consequence of such vote, the Advisory Council tendered their resignation to His Honor the Lieutenant-Governor;

3. And whereas, His Honor the Lieutenant-Governor refused to accept the resignation of his Council and the Council persisted in retaining office;

4. And whereas, a full account of the moneys voted to Her Majesty by this Assembly, at its last Session, for the public uses of the Territories, has not as yet been rendered to this Assembly by the Advisory Council selected by His Honor the Lieutenant-Governor to assist him in matters of finance;

5. And whereas, at the last Session of this Assembly $105,484.90 was voted (see Ordinance Number 8 of 1888) and the statement of Public Accounts brought before the Assembly only accounts for $18,078.74;

6. And whereas, on Thursday, November the 16th, on motion made by the leader of the Advisory Council to consider of the supply for the current year, an amendment was moved to the effect that this House do not consider of any further supply, until an account has been rendered of the sums voted last Session;

7. And whereas, this amendment was opposed by the Members of the Advisory Council and was carried by a vote of twelve to seven;

8. And whereas, the result of this vote proved that the advice tendered by the Advisory Council to His Honour the Lieutenant-Governor was not in accordance with the wishes of this Assembly;

9. And whereas, the Estimates laid on the Table of this House do not meet with the approval of the House, inasmuch as they do not include the amounts voted by the Parliament of Canada at its last Session for expenses of Government, etc., in the North-West Territories;

10. And whereas, on Friday, November the 15th, an humble address was adopted by the Assembly requesting that His Honor the Lieutenant-Governor be pleased to accept the resignation of the present Advisory Council and select another Council;

11. And whereas, the continuance in office of a Council not possessing the confidence of the Assembly was a gross violation of the rights and privileges of the Assembly;

12. And whereas, the Advisory Council have since then resigned and His Honor the Lieutenant-Governor has been pleased to accept their resignation;

13. And whereas, no new Advisory Council can be formed, which will have the confidence of the Assembly, until His Honor has signified his intention to accede to the just demands of the Assembly;

14. And whereas, in consequence of the position taken up by His Honor the Lieutenant-Governor, no Estimates can be laid before the Assembly, and the business of the Territories is seriously impeded;

15. Therefore be it *Resolved* that an humble address be presented to His Honor the Lieutenant-Governor, praying that he will cause this Resolution to be transmitted by telegram to-day to the Right Honorable the President of the Privy Council of Canada.

And the question being put on the amendment, it was moved by Mr. RICHARDSON, seconded by Mr. BETTS, in amendment to the amendment, that Clause 3 of the amendment be amended by striking out the words "and the Council persisted in retaining office."

And the question being put upon the amendment to the amendment, it passed in the negative.

And the question being put upon the amendment, it passed in the affirmative.

The question was then put upon the main motion as amended, and it passed in the affirmative.

11. Memorandum concerning the form of the Government and the finances of the Territories, Nov. 21, 1889.

NORTH-WEST LEGISLATURE,
REGINA, Nov. 21st, 1889.

To the Honorable the Minister of the Interior.

SIR,—The Legislative Assembly of the North-West Territories, now in its second Session at Regina, desires to lay before you, both as Minister and as one of the Territorial Members, a memorandum concerning the present form of the Government in the Territories, and the finances of the Territories, with the request that you will lay it before the Privy Council

for their action, and that, in the event of it being the intention of your Department to re-introduce Bill No. 136 of last Session of Parliament, it may form the basis of some change therein.

MEMORANDUM.

At the first Session of this Assembly, held in 1888, a Memorial was transmitted to His Excellency the Governor-General in Council, setting forth, amongst other things, the following:—

"That although this Assembly has been granted control of all expenditure for the current year, yet the North-West Territories Act does not clearly give the Assembly that control of the moneys voted by the Dominion Government for the expenses of Government in the Territories, which, in the opinion of the Assembly, they are undoubtedly entitled to.

That there is no permanent responsible body, whose business it is to prepare legislation for the consideration of this Assembly, and in consequence its legislative functions cannot be satisfactorily performed; for instance, the Assembly has had to present an humble address to His Honor the Lieutenant-Governor, praying that he may be pleased to appoint a Commission to draft, during the recess, certain measures deemed advisable by the Assembly; measures which it should be the duty of a Legislative Government to submit.

Therefore the Assembly recommends to His Excellency the Governor-General in Council, that full responsible Government should be given to the Territories with the other powers, in addition to those already possessed by the Assembly, granted by the British North America Act to the Provinces of Canada, with the exception of the power to raise money on the public credit."

The Assembly now finds that the experience of the past year and of the present Session fully justifies the representations and the recommendation then made, but that, although a Session of the Dominion Parliament has been held since the same were made, neither by Bill No. 136, nor in any other manner, has the Government sought either to remedy the existing state of affairs or to carry into effect the recommendation above contained.

During the present Session, the first Advisory Council appointed by the Lieutenant-Governor resigned, because the

Executive did not always find itself bound by the advice of the Council in cases where the advice of the Council was invited. In their letter of resignation the Council used the following language: "The constant discussion at Council meetings on the general theory of our constitution showed us plainly that Your Honor only conceded what we claimed as a right," and "In so important a matter as the construction of the Act, under which we have our existence, as a Council, such a grave difference of opinion can only lead to friction, which must inevitably destroy our usefulness."

The next Council, on assuming office, had a serious difference with the Assembly on the "powers" or "concessions" withheld from it by the Lieutenant-Governor, and although a vote of want of confidence was passed upon it, and they resigned, their resignation was not accepted until the Assembly refused to vote the Estimates.

The radical difference of opinion between the Lieutenant-Governor and the Assembly arose with regard to the question of the extent of the powers and responsibility of the Advisory Council.

The Lieutenant-Governor holds that the Assembly is not entitled to have a statement of Public Accounts laid before them, showing what disposition has been made of moneys voted last Session by the Assembly, on the ground that the moneys unaccounted for were part of the Dominion vote to the Territories for 1888-89.

The Assembly considers that these moneys, having been voted on Estimates sent down by message of the Lieutenant-Governor, and by an Ordinance of the Assembly assented to by the Lieutenant-Governor, should be duly accounted for to the Assembly.

It is held by the Lieutenant-Governor that the Advisory Council has control and is responsible to the Assembly with respect to the Territorial Revenue only, and that the words "matters of finance" in Section 13 of the North-West Territories Act of 1888 are restricted in their application to Territorial Revenue exclusively.

A majority of the Assembly, on the contrary, holds that the Section means *all* matters of finance, including in consequence the Dominion grant.

The Lieutenant-Governor refusing to modify his view on this matter, the majority in the Assembly protested by refusing

to vote the Territorial Estimates, and by withdrawing the powers previously granted to the Advisory Council under the Ordinances.

This Assembly therefore, after a trial reaching well into its second year, is forced to the conviction that the present system of government in the Territories is defective, and desires to repeat its recommendation of last year, and the recommendation of the North-West Council of previous years, in favor of full control of the finances of the Territories, that is, that the money voted yearly by the Dominion Government for governmental purposes in the North-West be given to the representatives of the people of the Territories.

The Assembly does not ask for the abolition of the Advisory Council, although if the number of Councillors were reduced to three, it thinks that would be sufficient, but it asks that the Advisory Council should be paid, that the Lieutenant-Governor should not be a Member of it, and that it should be definitely declared that the Dominion grant is to be expended only on a vote of the Assembly.

If these things are done, the Assembly feels assured that economy in administration would be the result and that the people of the Territories would be fully satisfied with the form of government.

FINANCES.

That the necessities of local government in the North West Territories demand that there should be subsituted for the annual vote by the Parliament of Canada of an indefinite sum, for expenses of government in the North-West, a fixed payment in the nature of a provincial subsidy; the amount of which should be determined with a view to the considerations hereinafter recited.

1. That, owing to the rapid increase of the population in the North-West, the amount of subsidy should be fixed for a term of not more than five years.

2. That the population of the Territories is now estimated at 100,000, and that, according to the known rate of increase in the past, and the still greater increase certain to accrue in the near future, as a result of the completion of the railway projects now in hand, the present estimated population may be expected to double in the said term of five years.

3. That in this case an estimated population of 150,000 would be the proper basis of calculation regarding subsidy for the proposed term.

4. That with an estimated population of 150,000 the subsidy at the rate of 80 cents a head, as allowed the Provinces, would amount to $120,000.

5. That on debt account the Territories are entitled to five per cent interest on $27.77 per head on an actual population of 100,000, which would amount to $138,850.

6. That the specific grant for governmental purposes should be at least as liberal as that made to Manitoba, that is to say, $50,000.

7. That, as Manitoba has been held to be entitled to a specific grant on account of lack of lands, the Territories are entitled to a like grant in consideration of their special circumstances, some of which are as follows:—

(1.) Owing to the vast area of the Territories, and the widely scattered nature of the settlement, all the business of the local government is rendered more expensive proportionately to population than in any of the Provinces.

(2.) That as the Parliament of Canada retains the control of the public lands, grass, timber and minerals of the Territories, and derives revenue therefrom, it has a direct financial interest in good government and public improvements in the Territories, as it has not in any of the Provinces, except Manitoba, and, therefore, should pay more proportionately to the support of the local government of the Territories than to that of any of the Provinces, in whose local government or improvements it has no such direct financial interest.

(3.) The more important of these local enterprises or improvements are the improvement of trails in the northern and western parts of the Country; the preservation and increase of the water supply in the eastern and southern part; protection from prairie or forest fires in all parts; and the opening up and improvement of trade routes into the vast and as yet almost unknown northern interior, which comprises about one third of the area of the whole Dominion.

For the foregoing reasons, a specific annual grant for the five years term should be made to the amount of $100,000.

8. That, as above recited, the Territories are entitled to a total annual subsidy from the Parliament of Canada, for the five years next ensuing of $408,850.

9. That the amount voted by the Parliament of Canada for expenses of government in the North-West Territories for the current year is $145,000, which, with the sums appropriated for registration purposes, Members' indemnity, Clerk's salary and other matters properly chargeable to provincial acccount, makes a total subsidy of $176,410 for the current year, as against a vote of $20,000 for expenses of government in 1882.

10. That, as the yearly increase in the amount of the vote has been based on the yearly increasing needs of the Country, the fixed amount asked is probably not as great as would be reached during the proposed term of five years under the present system.

11. That at the same time it would be an advantage to the Territories to have the grant made in the manner specified. At the present time, as the grant lapses from year to year, there is not the same inducement to economical expenditure, as would exist, could the savings of one year be carried forward to the next.

Under the present system, public improvements are confined to works of a minor character, partly because the amount of the grant is kept so close to the barest needs of the Country; and partly because it is impossible, owing to uncertainty as to amount of the grant from year to year, to undertake work such as cannot be completed out of the grant of the simple year; and, as a consequence, works of the most pressing necessity are left undone, while the funds are being annually expended on works of minor importance.

BILL NO. 136.

The Assembly has had under consideration Bill No. 136 of last Session of Parliament, and, having given the Bill careful consideration, desires to make the following suggestions in regard thereto:—

1. With the exception of Section 110 of the Bill, which deals with the Prohibitory Law and other subjects, the Bill does not propose to deal with any matters affecting the Territories in a line with the often expressed wishes of the North-West Council and the North-West Legislature, but is distinctly retrogressive.

2. Section 10 of the Bill should be amended, so as to dispense with the sitting of Legal Expert with the Assembly.

3. Section 11 of the Bill should be amended, so as to make the term of the Assembly four years instead of three, and to place the power of dissolution, on the advice of his responsible advisers, in the hands of the Lieutenant-Governor.

4. Power to deal with Sections 15 and 16 of the Bill relating to the franchise should be given to the Assembly in the same way as is proposed for the prohibitory clauses, with the exception that the present Assembly be given power to deal with them.

5. Section 26, the Separate School Clause, has been made the subject matter of an Address to the Governor-General in Council.

6. The powers conferred upon the Governor-General in Council by Section 54 should be conferred upon the Lieutenant-Governor acting by and with the advice and consent of his responsible advisers.

7. Section 59 should be so amended as to give the appointments of Sheriffs and Clerks of Court to the Local Governments, together with all regulations in regard to the same.

8. Section 63 proposes to give the Lieutenant-Governor alone the power to regulate the fees of Clerks of Court, and should be changed, so as to leave that power under the control of the Assembly.

9. Section 66 of the Bill proposes to take away the power of appointing Justices of the Peace from the Lieutenant-Governor, and to give that power to the Governor-General in Council; there is no reason why this power, which belongs to all Provincial establishments, should be taken from the Territories.

10. Power also to prescribe qualification and make regulations regarding Justices of the Peace should be given to the Assembly.

11. Section 68 should be repealed, and Section 69 so amended as to give every person charged with a criminal offence the right to a jury, if he so desires it.

12. Section 98 of the Bill proposes to continue a law which under existing circumstances is unnecessary.

13. The property in all road allowances, trails, non-navigable rivers and streams and their road-beds, as well as the power of control, should be vested in the Government of the Territories.

14. Section 106 of the Bill should be expunged.

15. The provisions with regard to the prohibitory and other clauses contained in Section 110 of the Bill are satisfactory to the Assembly, except that the law in regard to liquor should not be amended by any Dominion Legislation, but should remain the same until the power conferred by Section 110 is exercised by the Assembly.

MEMORIALS OF THE LEGISLATIVE ASSEMBLY OF THE NORTH-WEST TERRITORY TO THE HONORABLE THE MINISTER OF THE INTERIOR.

1. Whereas, very serious losses have been suffered by farmers from the ravages of gophers in the growing grain, reaching according to various returns, from districts extending from range one to range twenty-two west of the second initial Meridian, to an average of 52 per cent of the acreage sown, during the season of 1889.

2. And whereas, gophers breed not only on the lands occupied by settlers, but also on the vacant lands held by the Dominion Government, the Canadian Pacific Railway Company, and other parties, and, in dry seasons especially, gather in from surrounding vacant lands on to the growing crops of settlers doing immense damage, and in such numbers that it has been found impossible for individual settlers, by their unaided efforts and at their own expense, to contend successfully in preventing the ravages thus committed.

3. And whereas, gophers can be more effectually stamped out in the early spring, before the young broods are produced, than later in the season.

4. Therefore the Assembly prays that you will be pleased to have a moderate amount placed in the Estimates, and have arrangements made for the purpose of paying a bonus of two cents per head for gophers, that shall be destroyed during the month of April, 1890, and one cent per head for gophers destroyed during the month of May, 1890, in the Territories, thus enabling farmers to engage in, or hire boys to undertake the destruction of gophers during these months.

5. And whereas, farmers in various districts in the Territories have had their crops destroyed during the past season from the effects of drought, the ravages of gophers, and by prairie fires, and many in such districts are comparatively destitute and are unable of themselves to procure seed grain for the spring of 1890.

6. And whereas, without special aid, large areas of cultivated land will remain uncropped in the districts referred to, during the year 1890, to the great detriment of the settlers and of every interest in the Territories;

7. Therefore the Assembly prays that you will be pleased to have a sufficient sum placed in the Estimates for the purpose of providing farmers, who require it, with seed grain and potatoes for the season of 1890. The seed thus supplied to be distributed on such conditions as may be considered desirable.

8. Whereas, the right of adding the eighty-acre pre-emption to the homestead, thus making one hundred and sixty acres for homestead, has been greatly appreciated by the settlers, but has been covered by the following condition, viz:—

That in order to have the advantage of this provision, a settler must buy a pre-emption of not less than eighty acres and not more than one hundred and sixty acres at two dollars and a half per acre, and that the amount of the pre-emption must be paid in full before a patent can be obtained;

And whereas, this condition has been greatly complained of by settlers;

Therefore the Assembly prays that the condition may be done away with.

9. That, in the opinion of the Assembly, it would be only just to those who entered for lands in the Territories during the operation of the Act permitting second homesteads, that second homesteading should in all cases be extended to them, provided they have continuously cultivated their first homestead.

10. Whereas, it has been proved that for the success of the settler it is necessary for him to engage in both grain and stock raising, and for this purpose he requires not less than three hundred and twenty acres of land;

Therefore the Assembly prays that the right of pre-emption be extended beyond the 1st January, 1890.

11. Whereas, extensive tree culture would prove of great assistance in promoting the agricultural prosperity of the Territories;

And whereas, it has been proved that trees grow rapidly and surely in the Territories, if properly managed;

Therefore the Assembly prays that the Dominion Government may adopt some plan having in view the encouraging of tree planting.

The said Memorials were then respectively read the second time and concurred in.

12.—Certified copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General in Council, on the 6th January, 1890.

The Committee of the Privy Council have had under consideration the annexed Report dated 3rd January, 1890, from the Minister of Justice upon an Ordinance of the Legislative Assembly of the North-West Territories which was assented to on the 22nd day of November last, and which was received by the Secretary of State on the 17th December last, being "No. 24 of 1889, An Ordinance to amend Chapter I of the Revised Ordinances of the North-West Territories intituled 'The Interpretation Ordinance.'" This Ordinance is in amendment of Sub-section 6 of Section 8 of said Chapter I, and relates to the administration of financial affairs in the Territories.

The Committee concur in the opinions of the Minister of Justice as set forth in the said Report and the recommendations therein contained that the said Ordinance be disallowed, and advise that the same be disallowed accordingly.

The Committee further advise that the Secretary of State be authorized to transmit a copy of this Minute and of the annexed Report to the Lieutenant-Governor of the North-West Territories.

(Signed) JOHN J. McGEE,
Clerk, Privy Council.

To the Honorable The Secretary of State.

13. Report of the Minister of Justice, Jan. 3, 1890.

DEPARTMENT OF JUSTICE, CANADA,
OTTAWA, 3rd January, 1890.

To His Excellency the Governor General in Council.

The undersigned has the honor to call the attention of Your Excellency to an Ordinance of the Legislative Assembly of the North-West Territories, which was assented to on the 22nd day of November last, and which was received at the Department of the Secretary of State on the 17th December last, being No. 24 of 1889. This Ordinance is in amendment of Sub-section 6 of Section 8 of Chapter I of the Revised Ordinances of the

North-West Territories, and relates to the administration of financial affairs in the Territories.

The power of the Legislative Assembly of the Territories to pass Ordinances is, of course, limited to such "as are not in excess of the power conferred by the 91st and 92nd Sections of the British North America Act upon the Legislatures of the several Provinces of Canada," and no such Ordinance can have validity if it is inconsistent with, alters or repeals any provision of that Act or of any Act of the Parliament of Canada in force in the Territories. This is provided by Section 13 and by Section 2 Sub-section C of "The North-West Territories Act," Chapter 50 Revised Statutes of Canada.

These being the powers possessed by the North-West Assembly, the undersigned has now to state to Your Excellency what the provision made by the Parliament of Canada is, in relation to the subject on which the Ordinance now under review was made.

The Lieutenant-Governor of the Territories having vested in him the administration of the Government, by virtue of Section 4 of "The North-West Territories Act," it is provided by an Act, in amendment of "The North-West Territories Act," namely Chapter 19, 1888, Section 13, that "The Lieutenant-Governor shall select from among the elected Members of the Legislative Assembly four persons to act as an Advisory Council, in matters of Finance, who shall severally hold office during pleasure, and the Lieutenant-Governor shall preside at all sittings of such Advisory Council, and have a right to vote as a member thereof, and shall also have a casting vote in case of a tie."

It seems unnecessary, in the view which the undersigned takes of this subject, to consider, at present, a question which has given rise to some controversy in the Territories, namely, whether the "matters of Finance" which are mentioned in the Section just quoted include the administration of moneys appropriated by the Parliament of Canada, as well as the revenues of the Territorial Government derived from local sources. It seems clear to the undersigned that the "matters of Finance," which are so mentioned in that Section, undoubtedly include the administration of the Territorial Revenues, which is one of the principal functions which the Lieutenant-Governor has to perform by virtue of his office.

The appropriation made by the Parliament of Canada, being placed at the disposal of Your Excellency, may be ad-

ministered in various ways, without being placed under the control of the Lieutenant-Governor, but the local revenues of the Territories are necessarily under his control by virtue of the Statutory provision which creates his office and invests him with the administration of the Government.

Being clearly of opinion, therefore, that the duty is imposed on the Lieutenant-Governor of appointing an Advisory Council on matters of Finance, and that these matters of Finance, on which he has to be so advised, include the administration of the Territorial Revenues, the undersigned is obliged to call the attention of Your Excellency to the fact that, in his opinion, the Ordinance above mentioned, (No. 24 of 1889) is inconsistent with the provisions of the Act of the Parliament of Canada relating to that subject.

By Chapter 3 of the Revised Ordinances of the Territories it is provided as follows:—

Section 1. All duties, revenues, license fees, fines, penalties and moneys whatsoever of the Territories, over which the Lieutenant-Governor and Legislative Assembly have, or hereafter may have the power of appropriation, shall form one fund, to be called the "General Revenue Fund," to be appropriated for the public service of the Territories, in the manner and subject to the changes hereinafter mentioned.

Section 2. The said fund shall be permanently charged, subject to revision and audit, as may be directed by Ordinance, or Order of the Lieutenant-Governor in Council, with all the costs, charges and expenses incident to the collection, management, receipt and disbursement thereof.

Section 4. Unless the said fund be appropriated in detail by Ordinance, the Lieutenant-Governor in Council may from time to time appropriate said fund, or any portion therof, for any purpose of public utility in the Territories, and a statement of such expenditure shall be laid before the Legislative Assembly at every successive Session thereof.

Section 5. The Lieutenant-Governor in Council may, from time to time, determine what officers or persons it is necessary to employ for any of the purposes mentioned in this Ordinance, assign their names of office, prescribe their duties, grant salaries or pay for their services, make the necessary appointments, and exact such securities from such officers and persons as may be deemed proper.

The words "Lieutenant-Governor in Council," which appear in this and other Revised Ordinances, are declared by

Chapter 1, Section 8, subsection 6, to mean "the Lieutenant-Governor or person administering the Government of the Territories for the time being, acting by and with the advice of or by and with the advice and consent of or in conjunction with the Advisory Council of the Territories."

It will therefore be seen that, prior to the passage of the Ordinance which is the subject of this report, the Legislative Assembly of the Territories had declared in effect, that the expenditure of unappropriated Territorial Revenues should be vested in the Lieutenant-Governor and the Advisory Council, established by the Act of Parliament of 1888, Chapter 19, Section 13.

The provisions of the Ordinances to that end were unnecessary, as the enactments of Parliament, by vesting the Administration of the Government of the Territories in the Lieutenant-Governor, and by directing that he should appoint an Advisory Council to assist him in matters of Finance, had already accomplished the purpose which the Ordinance just cited would achieve. The only practical effect of this Ordinance would be that the Lieutenant-Governor and Advisory Council, under it, would receive the style of "Lieutenant-Governor in Council."

An important change, however, was made by the Ordinance now under review. The previous Ordinances, as already shewn, were parallel to the legislation of Parliament. They were unobjectionable, only as being of that character, but by amending subsection 6 of Section 8 of Chapter 1, the Legislative Assembly has made the two lines of legislation diverge, and the legislation of the Assembly has become inconsistent with that of Parliament.

The Ordinance under review is in the following words:

Sub-section 8 of Section 8 of Chapter 1 of the Revised Ordinances of the North-West Territories is amended by striking out the last seven words thereof, and substituting therefor the following words: "Two Members of the Legislative Assembly, to be selected, from time to time, by the Assembly, and who shall hold office until their successors are appointed, and who, in the first instance, shall consist of the following Members of the Assembly, namely, THOMAS TWEED, Esquire, Member for the Electoral District of Medicine Hat, and JOHN RYERSON NEFF, Esquire, Member for the Electoral District of Moosomin."

The effect of this provision is, that on its coming into force, the "Lieutenant-Governor in Council" mentioned in the Ordinance of the Territories would mean, the Lieutenant-Governor "acting by and with the advice of, or by and with the advice and consent of, or in conjunction with Messrs. TWEED and NEFF, or such other two Members of the Legislative Assembly as may be selected from time to time by the Assembly. To the Lieutenant-Governor and Messrs. TWEED and NEFF, or to the Lieutenant-Governor and two Members of the Legislative Assembly to be selected by the Assembly is given by the operation of Chapter 3, above cited, the control and expenditure of all Territorial Revenues which may not have been appropriated by the Assembly.

It appears that there has been no appropriation by the Assembly for the current year. Therefore (if the Ordinance now under review is to have effect), the administration of all the Territorial Revenues, for the current year at least, is given to the Lieutenant-Governor "acting by and with the advice of, or by and with the advice and consent of, or in conjunction with," Messrs. Tweed and Neff.

In all those important matters of Finance, therefore, which relate to the administration of the Territorial Revenues during the present year, or any other in which there may be no appropriation, or no complete appropriation, by the Assembly, the Lieutenant-Governor is required to have the advice and consent of two Members of the Assembly selected by the Assembly.

The points in which the Ordinance is inconsistent with the Statute of Canada above referred to are the following:

The Ordinance requires the Advisory Council to be appointed by the Assembly, the Statute vests the appointment in the Lieutenant-Governor. The Ordinance requires the Council to consist of two Members; the Statute requires four. The Ordinance requires the consent of both members of the Council to every act of the Lieutenant-Governor; the Statute implies that the Lieutenant-Governor may act on the advice of a majority, because it gives him a vote in the Council, and the casting vote also in case of a tie. The tenure of office prescribed by the Ordinance is the pleasure of the Assembly, while that prescribed by the Statute is the pleasure of the Lieutenant-Governor.

It is obvious, therefore, that the Ordinance is not such as the Assembly is empowered to make, in view of the provisions contained in Section 13 of "The North-West Territories Act,"

Chapter 50 of the Revised Statutes, which provides that "no such Ordinance shall be so made which is inconsistent with, or alters or repeals any provision of any Act of the Parliament, of Canada, in force in the Territories."

It is equally obvious that two Advisory Boards, one constituted under the Statute of 1888, and another under the Ordinance, cannot be established. The Statute requires the Lieutenant-Governor to act with the Advisory Board established under the authority of Parliament, and the Ordinance requires him to act only on the advice of the two gentlemen appointed by the Assembly.

The undersigned has, therefore, the duty of advising Your Excellency that the Ordinance in question is inconsistent with the provisions of "The North-West Territories Act," and its amendment of 1888, and he therefore recommends that this Ordinance, "No. 24 of 1889," assented to on the 22nd of November last, be disallowed, and that the disallowance thereof be signified by the Secretary of State to the Lieutenant-Governor of the North-West Territories.

(Signed) JNO. S. D. THOMPSON,
Minister of Justice.

14. Extract from Address in reply to Lieutenant-Governor Royal, Nov. 9, 1890.

The Assembly regrets that Your Honor has not seen fit to allude to the circumstances which have led to Your Honor's selection and retention in office of an Advisory Council not in accord with, nor possessing the confidence of, the majority of this Assembly. It appears to us to be necessary to the good government of the country, that the measure of control, if any, possessed by the Legislature over the acts of the Executive should be clearly defined. Having been left without the guidance of Your Honor in this matter, the Assembly can do no less than assume its rights to be such as the North-West Territories Acts and constitutional usage having the force of law appear to give. They are therefore compelled to believe in the right of the majority not only to pass legislation, but to advise and control in the matter of its being given effect—that the North-West Territories Acts, interpreted in the light of con-

stitutional usage, provide for control of the executive by an Advisory Council having the confidence of a majority of the House; that the assumption of such control by any Members of this House not possessing its confidence is a violation of the spirit and intent of the North-West Territories Acts, and an infringement upon the rights of the House against which it feels compelled to enter its most solemn protest, and to take such measures to protect itself as best it may.

The disregard for and violation of all constitutional rules, the infringement upon the rights and privileges of the House and usurpation of its prerogatives by its Members composing the Advisory Council, in our opinion, renders those Members unworthy of taking any part in the business of the Assembly. As the only means in our power of vindicating in our case the common rights of majorities in representative Assemblies, it is our duty to refuse all legislation and motions offered by these Members.

To further mark its disapproval of the course of the Advisory Council in ignoring its rights, the House has seen fit not to allow the several members of the Council to serve on any of its Standing Committees as long as they maintain their present attitude of defiance.

It is provided by the Act creating this Assembly that no motion regarding Finance may be adopted by the House except it first be recommended by message from Your Honor. This provision places the power of initiating financial legislation solely in the hands of Your Honor's Advisers, while the power to pass such legislation as unquestionably rests with the majority of the House. If your Advisers, in the present case, possessed the confidence of the House, their right to initiate financial legislation would be unquestioned. But not possessing that confidence, their right to initiate such legislation is denied. The House feels that it would be doing less than its duty if it did not insist on its unquestionable right in this matter; and as long as Your Honor chooses to refuse the advice of the majority of its Members on questions of finance, so long will Your Honor's Advisers be refused leave to introduce motions on questions of finance in the House. It must be apparent to Your Honor that, as a matter of expediency merely, it is altogether undesirable from the point of view of the public interest that financial legislation should be introduced by a minority who have not the control of the House—that is, of the majority—

necessary to give it effect. It must be apparent that the introduction of such legislation under such circumstances could only lead to unnecessary and undesirable disputes and delays. If Your Honor's Advisers were permitted to introduce financial motions at their pleasure—while they have not the power to carry them—create debates upon them, and introduce amendments which would create further debates, a weapon of obstruction would be placed in their hands which the House has reason to believe would be used to delay the public business and without regard to the welfare of the people of these Territories. As the only possible effectual means of protecting itself in this regard, the House claims its right to refuse leave to the several members of Your Honor's present Advisory Council to introduce any motion in this House.

At the same time it will be the care of the majority to see that no beneficial legislation fails to be introduced or passed merely because these Members cannot be allowed to introduce it.

It must be clear to Your Honor that this Assembly can legislate on but few of the subjects upon which it is expressly authorized by Dominion Order-in-Council without the question of finance being involved. This is particularly the case in regard to Schools. If the funds upon which the successful working of this most important Ordinance depends are entirely beyond our control, it would in our opinion be better to place the power to legislate regarding North-West Schools in the hands of those who do control the necessary funds, whether they be Your Honor alone, or Your Honor with your Advisers, or the Parliament of Canada. This Assembly must protest against its being placed in the position of being responsible to the people of the North-West Territories for proper legislation regarding Schools, and yet be deprived of the control of the funds whereby alone that legislation can be given effect—whereby alone the School system at present existing in the North-West Territories can be maintained. At the Session of 1888, the Assembly, believing that it possessed control of the grant in aid of Schools, provided that a certain proportion of aid from that grant should be extended to them. On the strength of the inducement thus held out, many new districts were organized, taxation was levied and liabilities were incurred for the erection of school houses whose usefulness depended on the continuance of the proportion of the aid promised in the Ordinance of the Assembly. During the Session of 1889 the promise of aid remained without any in-

timation from Your Honor that it would not be made good, and a still further increase in the number of School Districts took place. In the present year, after the annual taxation rate had been struck on the basis of the grant promised by the North-West Assembly, a circular, authorized by the Government of the North-West Territories, was received by the several School Districts warning them of a proposed reduction to be made in the amount of their grant.

This House is compelled to inform Your Honor that if it is to understand that the control of the School funds rests with Your Honor and not with this Assembly, as would appear from the circular referred to it will be necessary for us to amend the present Ordinance by striking out the provisions relating to aid to Schools and thereby make known that upon Your Honor rests the responsibility of the distribution of the said fund and the support of the School system of the North-West Territories.

The House very deeply regrets the extraordinary circumstances which compel it to take this stand in defence of its rights and dignity, and the rights and dignity of those whom it represents, but feels compelled to inform Your Honor thus clearly as to what its position is and as to the course which it intends to pursue, believing that as Your Honor's Advisers do not represent the majority of this House, they cannot properly represent to Your Honor the position which the House has taken, its reasons for taking that position, and its intention to maintain it.

15. Extract from Address in reply to Lieutenant-Governor Royal, Nov. 14 1890.

We take the liberty of pointing out to your Honor that this difference of opinion was not as to the right of your Advisory Council to control these funds, as might be inferred from your Honor's Message, but as to the right of control possessed by the House over them, and incidentally over the Advisory Council as well.

The reasons upon which the House bases the assertion of its right to control the moneys voted from year to year by the Parliament of Canada for expenses of Government in the North-West are as follows:—

1. They are in general terms appropriated for the purposes of the local Government, which Government we understand

the North-West Act to declare must be carried on by and with the advice and consent of this Assembly.

(*b*) In particular, they are apportioned to purposes which are controlled by, or dependent upon, the action of this House, that is to say: To give effect to our education laws; to pay for the printing which our proceedings render necessary; to pay for public improvements upon which we, as representatives of the people, are best fitted to advise, and as a matter of necessity do advise; to pay salaries of clerks and officials to meet the general expenses necessarily incurred in carrying on the Territorial Government—by and with our advice and consent—as the Act provides.

2. If there is a doubt as to the availability of funds for any desired purpose of legislation, that legislation is likely to remain unenacted, to the public inconvenience and loss, and if there is a hope of financial aid which is not realized when desired legislation is enacted, loss and inconvenience to the public again results, as well as discredit to this Assembly and its several Members. It therefore appears to us that if our legislation is to be of full benefit to the people of the Territories, we must be made aware from year to year of the amount of funds which can be depended upon to give effect to that legislation, and we can only properly become aware by the exercise of concurrent, if not absolute, control.

The Assembly further claims the right of the control of these funds on the ground that they must be considered as of the same nature as the subsidies received from the Federal Treasury by the several Provinces—that is, as a return, for the support of the local Government, on taxes paid by the people to the Federal Treasury—and therefore quite as much the property of the people of the North-West Territories, and quite as properly at the sole disposal of the local Government, as that part of the local revenues derived directly from the people by means of enactments of this Assembly.

We desire to point out that the fact of these funds not being raised under the authority of the North-West Government does not prevent them from properly being placed under the control of Your Honor, by and with the advice and consent of this Assembly; for the revenues derived from the issue of liquor permits and beer licenses under authority of Your Honor as Administrator of the North-West Government under instructions from Ottawa—which permits and licenses are in no way under the control of this Assembly, or issued on its responsi-

bility—are still held to be subject to account to and appropriation by this House.

To sum up: The Assembly bases its claim to control: 1st, On the intent expressed in plain terms by the title of the vote in Parliament; 2nd, On the necessities of the case, as it affects the people of these Territories through the legislation of this Assembly; and 3rd, on the absolute right of the people of the North-West Territories—according to the scheme of Confederation—to the full control of their own funds.

The Assembly must point out that at its first Session Your Honor used such expressions and took such action as led us to believe that your views at that date fully agreed with those we now hold on this question. In Your Honor's Speech at the opening of the first Session on Oct. 31st, 1888, You were graciously pleased to say:

"It affords me much pleasure in opening the First Session of the Legislative Assembly of the North-West Territories, to be able to congratulate you upon the general prosperity of the country, and the completeness of its representation in our Legislature, which I regard as the preceding step to Provincial organization. In the progressive evolution of our present constitution towards thoroughly representative Government, you will find that I am in full accord with your legitimate aspirations."

In proof of what Your Honour then considered our "legitimate aspirations," on December 11th, 1888, the leader of Your Honor's then Advisory Council, selected at the beginning of the Session, introduced the following Ordinance:

"No. 8 of 1888.

"*An Ordinance for Granting to Her Majesty Certain Sums of "Money to Defray the Expenses of the Public Service of "the Territories for the Financial Year Ending 30th "June, 1889, and for Other Purposes Relating Thereto.*

["*Assented to December 11th, 1888.*]

"Most Gracious Sovereign:

Whereas, it appears by Message from His Honor Joseph Royal, the Lieutenant-Governor of the North-West Territories, and the Estimates accompanying the same, that the

sums hereinafter mentioned in the Schedule to this Ordinance are required to defray certain expenses of the public service of the Territories, and for other purposes relating thereto, for the financial year ending 30th June, one thousand eight hundred and eighty-nine: May it therefore please Your Majesty that it may be enacted, and it is hereby enacted by the Lieutenant-Governor, by and with the advice and consent of the Legislative Assembly of the Territories as follows:—

"(1) From and out of the fund at the disposal of the North-West Government, there shall and may be paid and applied a sum (not exceeding in the whole) One hundred and five thousand four hundred and eighty-four dollars and ninety cents, for defraying the several charges and expenses of the public service of the Territories for the financial year ending 30th June, one thousand eight hundred and eighty-nine as set forth in the Schedule to this Ordinance.

"(2) The due application of all moneys expended under this Ordinance shall be accounted for to Her Majesty."

In the Journals of the House of the same date appears the following:

"The Royal Assent to this Bill (No. 8 of 1888) was announced by the Clerk of the Legislative Assembly in the following words: His Honor the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accepts their benevolence, and assents to this Bill in Her Majesty's name."

It may be mentioned that the sums provided in the above mentioned Ordinance including funds derived from Territorial, Administrative and Federal sources, but only included that portion of such funds not expended under authority of your Honor while acting as Administrator of the North-West Government before the Assembly had been called to your assistance. Thereby making clear that while the Assembly assumed full responsibility, with Your Honor's formal and full consent for all funds on hand at the time, it assumed and was accorded no responsibility regarding funds which were not to be administered by and with its advice and consent.

The Assembly was not made aware of any change in Your Honor's views on this question until Nov. 5th, 1889, above

alluded to. On that occasion Your Honor did not address the Assembly directly, nor cite Your Honor's authority for the very important change in the method of control of these funds which Your Honor had evidently then determined to bring about.

The Assembly very deeply regrets the necessity of the several steps which it has since been compelled to take to assert that measure of control which it was once accorded but of which it is now deprived in regard to this important part of the functions of government, the control of the larger proportion of the funds, and also very deeply regrets that Your Honor did not see fit until the date of Your Honor's Message to communicate directly with the House on the subject.

It still more deeply regrets that having received Your Honor's gracious Message it cannot find therein any definite statement of Your Honor's authority for interposing Your Honor's power as Administrator of the North-West Government between the people of these Territories and what appears to us to be a proper control by them of the moneys appropriated by the Parliament of Canada for the purposes of their local government, which control as stated by the Honorable Minister of Justice in the passage from his opinion, quoted in Your Honor's Message, is not necessarily vested in Your Honor, and which as we read the passage indicated, may be included in the "matters of finance" upon which your Advisory Council as provided by Statute must advise Your Honor.

Until such statement of authority is laid before the House we are compelled to interpret the Law, both statutory and constitutional, for ourselves and to assert by every legitimate means our right to that measure of control of the public funds of these Territories which was exercised by us at the first Session of this Assembly, and of which we are now deprived by the action of Your Honor in ignoring the majority of this House without, so far as we are yet aware, any change in the Law on the subject having been made.

The Assembly begs to thank Your Honor for the definite statement contained in the eleventh paragraph of Your Honor's Message, that "His Excellency the Governor in Council has, for many years past, assumed without question the direct control of the expenditure of the moneys annually voted by the Parliament of Canada for School purposes in the Territories." This announcement very distinctly relieves the House from any responsibility regarding School funds.

The Assembly is also glad to be informed that "by Order in Council of the 18th July, 1890, they (the School funds) were directed to be expended in accordance with the Revised School Ordinance."

And also that Your Honor has reason to believe that a deficiency in the grant under the Ordinance will not occur.

This information relieves the Assembly from the necessity of taking any measures at the present time in regard to the Sections of the Ordinance providing for aid to Schools.

But, in view of possible future contingencies, the Assembly feels compelled to point out the absolute necessity of the prospects of aid to schools held out by the Ordinance being fulfilled to the letter—that to introduce the element of uncertainty as to the payment of grants would be to imperil the educational interests of the Territories, where above all countries in the world these interests are held to be of the highest importance. In this matter above all others, it appears to us that the powers of legislation and of financial control should go together and should definitely rest either here or at Ottawa, whichever the power holding the financial control—that is the Parliament of Canada—may please to decide.

16. Speech from the Throne by Lieutenant-Governor Royal, Nov 29, 1890.

Mr. Speaker and Gentlemen of the Legislative Assembly:

At the close of the present Session, which terminates the Sessions of the First Legislative Assembly of the North-West Territories, I have pleasure in relieving you from further attendance to your Legislative duties, and I congratulate you upon the practical character of the legislation, to which I have just given assent in the name of Her Majesty.

I cannot but regret the unfortunate difference of opinion, which has arisen respecting the interpretation to be placed upon the portion of our constitution, which relates to the powers of the Advisory Council, and I desire to again convey to you the assurance that while I cannot, for reasons already communicated to you, accede to your claim to control the expenditure of the moneys voted by the Parliament of Canada for the Government of the North-West Territories, I have always been thoroughly in accord with you in your contention

that you are entitled to control, through an Advisory Council possessing your confidence, the expenditure of the Territorial Revenues.

I also regret that, owing to a majority of you withholding your confidence from any Council which does not claim for you the control of the Dominion Funds, I have had to retain the services of a Council, whose views upon this question are not those of the majority. It is only just that I should here pay to the Members of the Advisory Council a tribute of acknowledgment for the constant and patriotic attention given by them to the various details of the Territorial Administration under their control.

17. Letter from the Department of the Interior to the Department of Justice, Dec. 7, 1891.

DEPARTMENT OF THE INTERIOR,
OTTAWA, 7th December, 1891.

SIR,

It has been brought to the attention of the Minister of the Interior that Section 13 of the Act 51 Vic., Chap. 19, relating to the appointment of an Advisory Council to the Lieutenant-Governor of the North-West Territories, has not been repealed and the Minister requests me to ascertain from you whether or not in the opinion of the Minister of Justice, that Board has ceased to exist, under the provision of the Act of last Session, amending the North-West Territories Act, and if not, what is the proper course to be taken in regard to the matter, seeing that the expenditure of all Territorial funds may hereafter be dealt with by Ordinance of the Legislative Assembly.

I have the honor to be,
Sir,
Your Obedient Servant,

(Signed) A. M. BURGESS.

R. Sedgewick, Esq., Q.C.,
Deputy Minister of Justice,
Ottawa.

18. Letter from the Department of Justice to the Department of the Interior, Dec. 7, 1891.

DEPARTMENT OF JUSTICE,
OTTAWA, 7th December, 1891.

SIR,

I have the honor to acknowledge the receipt of your letter of this date, pointing out that Sec. 13 of Chap. 19, 51 Vic. relating to the appointment of an Advisory Council to the Lieutenant-Governor of the North-West Territories, has not yet been repealed, and asking whether that Council has ceased to exist under the provisions of the Act of last Session amending the North-West Territories Act, and, if not, what course shall be pursued seeing that the expenditure of all territorial funds may hereafter be dealt with by Ordinance of the Legislative Assembly.

In dealing with this question it may be well to consider briefly the various powers of legislation given to the North-West Assembly. By Sec. 7 of the North-West Territories Act of 1875, as amended by Section 3 of the North-West Territories Act of 1877, the Lieutenant Governor in Council was invested with such power to make Ordinances for the government of the Territories as the Governor in Council might, from time to time, confer upon him. In pursuance of that power, and on the 11th May, 1877, an Order in Council was passed giving the Lieutenant Governor in Council power to make Ordinances in respect of the following subjects, namely:—(1) the establishment and tenure of territorial officers, (2) the appointment and payment of territorial officers, (3) the establishment of municipal institutions, (4) the issue of licenses in order to the raising of a revenue for territorial or municipal purposes, (7) the imposition of punishment by fine, penalty or imprisonment, for the infraction of any territorial ordinance, and (9) matters of a merely local or private nature. By a further Order in Council of the 7th July, 1886, there was conferred on the Lieutenant-Governor-in-Council authority to make Ordinances in relation to (1) direct taxation within the territory in order to the raising of a Revenue for Territorial, including municipal purposes. Apart from the North-West Territories Act itself, these two Orders in Council contained all the authority under which the Lieutenant-Governor-in-Council, and subsequently the Legislative Assembly enacted Ordinances respecting matters of

finance in the Territories; and it was upon the authority so conferred upon the Assembly that Chap. 3 of the Revised Ordinances of the North-West Territories, namely: "An Act respecting Revenue and Expenditure" was passed. By 51 Vic. Chap. 19 the Council of the Territories was abolished and in its stead was substituted, the Legislative Assembly, Sec. 13 providing as follows:—

"The Lieutenant-Governor shall select from among the "elected members of the Legislative Assembly four persons to "*act as an Advisory Council on matters of finance,* who shall "severally hold office during pleasure."

Then, finally, was passed the Act of last Session giving the Legislative Assembly power to make Ordinances in relation to (12) "*the expenditure of Territorial funds and such portions* "*of any moneys appropriated by Parliament for the Terri-* "*tories as the Lieutenant-Governor is authorized to expend by* "*and with the advice of the Legislative Assembly or of any* "*Committee thereof.*"

Under the authority of Sec. 13 of the Act of 1887, Advisory Councils have, from time to time, been appointed and were in existence, at all events, until the dissolution of the late Assembly. The question now to be considered is, whether the Advisory Council has been abolished, and if not, what powers does it possess at the present time and what powers may it possess as soon as Ordinances are passed under the Act of last Session (as will doubtless be passed) giving the Assembly absolute powers of Legislation in respect to all Territorial funds and to Federal funds set apart to be dealt with by the Territorial Ordinance.

In dealing with these questions, reference must also be had to existing Territorial legislation relating to the Advisory Council created by the Act of 1887. By the Interpretation Ordinance, (Chap. 1, Revised Ordinances) Sub-clause 6 of Clause 8, it is provided as follows:—

"The expression 'The Lieutenant-Governor-in-Council' "means the Lieutenant-Governor or person administering the "Government of the Territories for the time being, acting by "and with the advice of, or by and with the advice and consent "of, or in conjunction with the Advisory Council of the said "Territories."

By several other Ordinances the Lieutenant-Governor can act in certain matters only by and with the advice of the Advisory Council, as, for instance, by Ordinance 2 the Lieutenant-Governor-in-Council appoints the Queen's Printer and regulates the publication of the North-West Territories Gazette, by Ordinance 3, which creates the General Revenue Fund (composed of all Territorial revenues) the Lieutenant-Governor-in-Council is charged with the management of its expenditure under the different Ordinances. (See also the powers given to the Governor-in-Council under the Ordinance respecting the Security to be given by public officers, the Statute Labor and Fire Ordinance, the Herd Ordinance, the Brand Ordinance, the Prairie and Forest Fires Ordinance, etc.) It may be here mentioned that the term "Council" used in all these Ordinances, as well as the term "Advisory Council" used in the Interpretation Ordinance, has reference solely to the Advisory Council appointed under the authority of the Dominion Act of 1887. I am permitted to say before the Act of last session dealing with the North-West Territories was introduced into Parliament, careful consideration was given to the question of whether the abolition of the Advisory Council was in the public interest, particularly in view of the policy which the Government had adopted of materially extending the powers of the North-West Assembly in dealing with financial affairs, and the Government arrived at the conclusion that such abolition would be practically effected as soon as the Territorial legislation with regard to such affairs was completed. The simple repeal of Sec. 13 of the Act of 1887, resulting in the immediate abolition of the Advisory Council would, perhaps, have led to confusion, in view of the Ordinances imposing certain duties on the Lieutenant-Governor acting by the advice of the Advisory Council, and in view of the fact that some time must elapse before the election of the new Assembly and the enactment by it of Ordinances by which a new method of managing the finances of the Territories would be established. The result of there being no express repeal of Sec. 13 is that the Act of last session, giving as it does to the Assembly the exclusive power of dealing with questions of Territorial finance, gives to that Assembly, by implication, the power of practically repealing Section 13 of the Act of 1887 creating the Advisory Council. The Assembly may (subject, of course, to the power of disallowance vested in the Governor in Council,) pass any legislation it pleases as

to the administration of the funds in question, authorizing the expenditure of public moneys either with or without the advice of an Advisory Council or through a finance committee, or any other functionaries whom it may choose to appoint, or by its own express vote.

I am further to state, in reference to the status of the present Advisory Council that the personnel of such Council is not necessarily affected by the dissolution of the Assembly or even by the defeat at the polls of any of its members. The Members of that Council hold office during pleasure, until their successors are appointed.

It would doubtless, under ordinary circumstances and principles of constitutional law, be the duty of the Lieutenant-Governor to see that the Members of his Council were, or were likely to be elected members of the Assembly, and with that view to exercise his pleasure by making any removals or new appointments which might be necessary to keep the Council within the Assembly, but it seems very doubtful whether, under the circumstances above detailed, and especially in view of the new powers with regard to finance which have been conferred on the Assembly, the Lieutenant-Governor should appoint a new Advisory Council considering that the Assembly may by legislation at the approaching session make other arrangements which will dispense with the authority and functions of such a body. On this question perhaps, I am not called to express an opinion.

I have the honour to be,
Sir,
Your obedient Servant,

(Signed) ROBT. SEDGEWICK,
Deputy Minister of Justice.

A. M. Burgess, Esq.,
Deputy Minister of the Interior,
Ottawa.

19. Statement on behalf of the Executive Committee by Mr. Haultain, Aug. 23, 1892.

Mr. Campbell asked the Executive Committee the following Questions:—

1. What action, if any, has been taken in respect of the Resolution passed at the last Session of this Assembly, with

reference to the annual appropriation made by the Parliament of Canada for the Government of the Territories?

2. What has been the result, if any, in regard to that Resolution?

Mr. Haultain, on behalf of the Committee, replied as follows:—

The Memorial passed by the Legislative Assembly at the Session of 1891-92 with reference to the annual appropriation made by the Parliament of Canada for the Government of the Territories and the deficit in amount required for Schools was duly forwarded to the Prime Minister of Canada and the Honorable the Ministers of Finance and the Interior.

The Executive Committee on the 29th February sent further Memorials to the Governor-General-in-Council with regard to these two subjects copies of these Memorials are hereto attached.

In consequence of these Memorials in the beginning of March, '92, Mr. Haultain, a Member of the Committee, was requested by the Government of Canada to go to Ottawa and confer with the Government with regard to the financial claims of the Territories.

On Mr. Haultain's arrival in Ottawa a Sub-Committee of the Privy Council, consisting of the Ministers of Finance and the Interior, was appointed to confer with him on the subject-matter of the Assembly and Executive Committee Memorials. As a result of several conferences, the Sub-committee reported in favour of granting an amount by way of subsidy, to the Territories, of $250,000, in addition to provision by separate Votes for those special services administered by the Departments of Justice and the Interior, as well as for the Office of the Lieutenant-Governor and the statutory expenditure under the North-West Territories Act, making in all, a total Vote for the Territories of over $300,000, or within about $50,000 of the subsidy claimed by the Assembly.

The Report of the Sub-committee was not adopted by Council, and Mr. Haultain was requested to make an alternative proposition to the Assembly Memorial already under consideration. He, however, did not feel at liberty to make any proposition not based on the Memorials above mentioned, but requested to be heard by Council before a final decision on the Sub-committee Report was arrived at. The Privy Council added the First Minister and the Minister of Justice to the Sub-committee, and further conference was held with the Sub-committee thus enlarged. The Privy Council decided finally

not to accept the Report of the Sub-committee in favor of a subsidy, on the ground that it was not desirable to give the Territories a Provincial status by granting a subsidy, and again asked Mr. Haultain for an alternative proposition.

Mr. Haultain then suggested that, instead of an itemized Vote for the Territories, Parliament should vote a lump sum for expenses of Government in the North-West Territories, to be transferred under Order in Council similar in provisions to that of 8th December, 1891.

The Sub-committee considered this latter proposition favorably, and the result is shown by the Order in Council of the 25th July, 1892, sent down by Message of His Honor to this House on the 13th day of August instant, and which will appear in the Journals of this House of that date.

By this Order in Council a bulk sum of $193,200 is placed under the control of the Asssembly, the expenditure of which involves the control of the following services:—

Schools, Light and Fuel, Legislative Hall, Elections, Travelling expenses, Roads and Bridges, Clerical Assistance, Contingencies, Printing and Advertising, Newspapers, Well-boring Machines, Caretakers and Messengers, Stationery, Telegrams, etc., and Advertising Sittings of Court.

The other subject dealt with in the Memorials of the House and Executive Committee was the deficit in School money.

The Memorials of the Assembly and Committee were the basis of Mr. Haultain's recommendations to the Government.

After submitting the whole matter to the Minister of the Interior, he recommended a supplementary Vote for the amount requested, and subsequently Parliament voted the sum of $26,700, as a supplementary Vote for Schools in the Territories, being slightly more than the amount claimed.

It will be seen that the lump Vote transferred by Order in Council of the 25th July, 1892, includes the item for light and fuel for the Legislative Hall, and all items asked for in the Executive Committee Memorial except that for Legal Adviser.

The total amount of the item transferred by the Order in Council of the 8th December, 1891, was $142,660.58. The total amount transferred by the Order in Council of the 25th July, 1892, available for the current year, is $193,200, or an increase of over $50,000.

The new services placed under the control of the Assembly are "Clerical Assistance," "Light and Fuel," "Caretakers and Messengers" and "Contingencies."

Last Session the amounts for each service were specified by an itemized Vote. Now the Assembly apportions the lump Vote at its discretion and according to the actual necessities of the Country. Last Session the amounts of the several Votes had to be expended upon the service indicated by the Vote, or lapse. Now the whole amount of the lump Vote is available for any purpose.

It may be proper to mention, in conclusion, that all expenses in connection with Mr. Haultain's trip to Ottawa were borne by the Federal authorities.

MEMORIAL addressed to His Excellency the Governor-General in Council by the Executive Committee of the Territories in reference to the Parliamentary appropriation for the Government of the North-West Territories, 29th February, 1892.

In view of the large deficit in School funds that the Committee have to meet, it is imperative that representations should be made to the Federal Government with a view to obtaining a supplementary vote.

In November, 1890, estimates of expenditure for Schools in the Territories for the financial year 1891-92 were made up in the Lieutenant-Governor's Office and forwarded to Ottawa.

The amount then asked for was $118,606.51 but the sum actually voted by Parliament was only $100,000.00.

At the time this amount of money was voted by Parliament the Territorial Ordinance relating to Schools prescribed the nature and amount of the grants made to Schools; and under the Order of the Governor-General in Council of 18th July, 1890, the expenditure of this vote according to the terms of the Ordinance was authorized. On 22nd June, 1891, by an Order of the Governor-General in Council the former Order in Council was cancelled and it was decided that the Federal Vote for Schools should no longer be expended in accordance with the provisions of the Territorial Ordinance.

The School year in the Territories begins on the 1st January, and teachers are usually engaged and expenses incurred at that date. The yearly assessment for taxation in School Districts is made about the month of April.

The Territorial Ordinance and Order in Council of 18th July, 1890, being in force at the time, trustees engaged

teachers, incurred expenses and made their financial arrangements for the School year in the reasonable expectation that the grants held out to them by the Ordinance and Order in Council would be available. The Legislative Assembly was dissolved by effluxion of time in June, 1891, and in consequence of the lateness of the Session at Ottawa could not be called together until nearly the end of the year.

The effect of the Order in Council of 22nd June, 1891, was to suddenly deprive Schools throughout the Territories of the grants previously made them, after their assessments were made, and before the Legislature could be called together to pass any legislation rendered necessary by the new state of affairs. The lateness of the Session of the Legislature again prevented any change being made which could be fairly brought into operation until the 1st July, 1892.

After that date the provisions of Section 12 of Ordinance No. 28 of 1891-92 will come into force, and the grants to Schools therein provided for will be easily paid out of any vote for Schools, which may reasonably be expected.

Of the amount of $26,658.43 asked as a supplementary vote, the amount of $5,752.55 is a portion of a supplementary vote of last year which lapsed because it was impossible to expend it between the time it was available and the time it lapsed, September 30th, 1891.

This is an amount actually due for the financial year 1890-91, and by reason of the lapse, payments for that year have not yet been completed, and that amount stands as a charge against the Vote for 1891-92, which has been shown to be altogether inadequate for the actual necessities of the year.

The Order in Council of 22nd June, 1891, rendered the grants clauses in the Ordinance of 1888 inoperative, but the Legislative Assembly were unable to make any change until January, 1892.

The result was that for more than a year the Legislature held out grants which could not be paid, and by the abrogation of the Order in Council the Legislature was involuntarily obliged to break faith with the Schools of the Territories.

Feeling that their good faith was pledged by legislation which it was impossible to change at an earlier date, the Legislature have taken $10,000 of local revenue to reduce the deficit in the School grants.

In view of the foregoing facts, the Committee would most respectfully request that a supplementary vote of $26,658.48

be made in order to meet the School grants payable under the old system up to the 30th June, 1892.

MEMORIAL addressed to His Excellency the Governor-General in Council by the Executive Committee of the Territories in reference to the Parliamentary Appropriation for the Government of the North West Territories, 29th February, 1892.

1. That the moneys voted by Parliament for the Territories be hereafter voted in a lump sum, non-lapsable.

This mode of vote will be both economicial and convenient from both a Federal and Territorial point of view.

From the nature of the Country, the enormous distances and difficulty of communication, it is frequently impossible to expend the moneys voted by Parliament before the 30th of September in each year when they lapse.

While the actual necessities of the Territories are indicated by the several items of a detailed vote, unforeseen circumstances frequently arise which make it desirable that more money should be expended on some particular service than is provided by the detailed vote.

It is respectfully submitted that the bulk of the money voted by Parliament for the Territories can be expended by the Legislature in detail more in accordance with local wants and requirements than by Parliament.

The present authorization of expenditure of portions of the money voted by Parliament for the Territories through the Assembly would seem to simply change the disbursing Agent of the Federal Government and not the mode of Expenditure.

The present system of expenditure involves a double system of vouchers, books, book-keeping and audit, and to a certain extent a dual clerical service which would be done away with if the money were voted in a lump sum and handed over to the Legislative Assembly.

That the following consideration of the items of the North-West vote for 1891-92 will bear out the foregoing.

(1.) Travelling expenses of officials.

This item would necessarily belong to the Legislative Assembly, if separate provisions were made for the Lieutenant-Governor.

(2.) Probable cost of elections.

The Assembly under the Statute has the power to pass legislation regarding Elections and would properly control this item.

(3.) Stationery, telegrams, postage and telephones.

Provided for by Order in Council of 8th December, 1891.

(4.) Legal expenses, including Legal Adviser's salary.

It is desirable that this item should be handed over to the Assembly, as the bulk of the work of the Legal Adviser arises in connection with those items of expenditure included in the Order in Council of 8th December, 1891.

(5.) Clerical Assistance.

A clear line of distinction can be drawn between what may be designated as "Local Clerical Assistance" and "Federal Clerical Assistance" as they exist in the Regina Offices.

Those of the Clerks, who perform work incidental to the Ordinances or those items of the federal vote controlled by the Legislature, should be placed under the control of the Legislature.

Those belonging to the Office of the Lieutenant-Governor, quâ Federal Officer, would still remain under the Lieutenant-Governor.

(6.) Subscriptions to Newspapers.

Provided for by Order in Council of 8th December, 1891.

(7.) Caretakers and Messengers, Legislative Hall and Government House.

This could be arranged in the same way as " Clerical Assistance."

(8.) Maintenance of insane patients in Manitoba Penitentiary, including transport.

This vote is mainly expended from Ottawa, and properly belongs to the Department of Justice, unless the Government contemplates a Territorial Asylum to be managed by local authorities.

(9.) Light and Fuel for Legislative Hall and Government House.

This might be looked after by Public Work Officials.

(10.) Fixtures, &c. in connection with electric light.

This is not a recurring vote, and would probably be expended by the Department of Public Works.

(11.) Management of four well-boring Machines.

Provided for by Order in Council of 8th December, 1891.

(12.) Miscellaneous Justice, including light, fuel and stationery for Sheriffs' offices.

This might be undertaken by the Department of Justice.

(13.) Rent of Court Room.

Same as No. 12.

(14.) Stationery for Judges of Supreme Court.

Same as No. 12.

(15.) Salaries of Caretakers of Court Houses.

Same as No. 12.

(16.) Incidental Justice.

Same as No. 12.

(17.) Amount required to buy books for the Library of the Court House, Regina, N.W.T.

Same as No. 12.

(18.) To pay the Salary of Dixie Watson, as Librarian, for the fiscal year ending 30th June, 1892.

Same as No. 12.

(25.) Publications of Magistrates' Returns and Clerks' Fees under Sec. 103, Cap. 178, R.S.C.

Same as No. 12.

(26.) Reporting and printing proceedings and judgments of Supreme Court in banc.

Same as No. 12.

(19.) Contingencies, (to be approved by Minister of Interior).

Part of this might be still voted to be expended as formerly by the Lieutenant-Governor, the balance could go into the bulk vote.

(20.) Salaries of Registrars, Inspector and Clerks, contingencies, etc.

This is administered by Department of Interior at Ottawa.

(21.) Schools.

Provided for by Order in Council of 8th December, 1891.

(22.) Roads and Bridges.

Provided for by Order in Council of 8th December, 1891.

(23.) Printing and advertising.

Provided for by Order in Council of 8th December, 1891.

(24.) Advertising Sittings of Court.

This might properly be part of the bulk vote, and could be attended to by local Officials.

From a consideration of the foregoing items it will be seen that nearly the whole of the public service of the Territories can be transacted either at Ottawa by the different Depart-

ments or at Regina by local Officials controlled by the Legislature.

It is submitted that the foregoing establishes the fact that the business of the Territories can be carried on more cheaply and more conveniently, from both a Federal and Territorial point of view, by granting a lump sum to the Territories instead of having an itemized vote as hitherto.

It is also submitted that a local Executive Committee responsible to the Legislature can perform the work quite as efficiently and more satisfactorily to the people of the Territories, than it has been done under the old system.

It is further submitted that the Territories have developed sufficiently to be intrusted with the limited amount of self-government indicated in the foregoing.

20. Extract from Journals of Legislative Assembly of the N.W.T., Aug. 30-31. 1892.

TUESDAY, 30th August, 1892,
2.30 o'clock, p. m.

Journals read and approved.

Mr. Speaker then came down from the Chair, and the same being taken by Mr. Sutherland, the Deputy Speaker, Mr. Speaker spoke from the floor of the House as follows:—

In resigning the Chair of this House, I desire to make the following statement:—

I was elected Speaker of a House to which a large majority of those who for two years previously had been struggling for responsible government had been returned. As one of the party which had been engaged in that struggle and had been successful in the late general election, I reasonably expected that any Advisory Council or Committee which might be formed would be composed of those and those only who had belonged to that party. Being in perfect accord with the majority of the House as to the course which would be pursued in regard to responsible control of our affairs, and to that item of expenditure, the Roads, Bridges and District Vote, with which

every Electoral District is more directly concerned, I was satisfied that the general rights of the Territories, as well as the particular interests of my own District, would be fully protected.

In view of the defeat of an Executive, advocating the principles which I had struggled for longer than any other Member of this House, and the success of a party evidently, indeed necessarily, opposed to those principles, I feel that in duty to myself and my constituents, I must place myself in such a position as to be able by voice and vote to advocate those principles and protect the interests of those who elected me to this House. I now resign the position of Speaker of this House.

Mr. Sutherland then left the Chair and announced to the House his resignation as Deputy Speaker.

The Members then dispersed.

WEDNESDAY, 31st August, 1892.

2.30 o'clock, p. m.

This day, all the Members being present,

And the Clerk having taken his Seat at the Table,

Mr. Cayley, addressing himself to the Clerk (who, standing up, bowed and then sat down) stated that His Honor the Lieutenant-Governor had been informed of the resignation of James H. Ross, Esquire, as Speaker of this House, and gave leave to the House forthwith to proceed to the choice of a new Speaker.

Mr. Cayley, thereupon addressing himself to the Clerk (who, standing up, bowed and then sat down) proposed to the House, for their Speaker, William Sutherland, Esquire, Member for North Qu'Appelle, and moved that he do take the Chair of this House, as Speaker, which resolution was seconded by Mr. McKay.

And the Question being put by the Clerk, the Members divided and, the votes being equal, the Clerk declared that no Election had been held.

And the Clerk having left his Seat at the Table, the Members then dispersed.

21. Report by the Minister of Justice, Sept. 29, 1892.

DEPARTMENT OF JUSTICE, CANADA,
OTTAWA, 29th September, 1892.

To His Excellency,

The Governor-General in Council.

The undersigned has the honor to report as follows on Ordinance No. 1 of 1891-92 of the Legislature of the North-West Territories (assented to on the 24th December, 1891) intituled "An Ordinance respecting the Executive Government of the Territories."

The subject of which this Ordinance treats ("The Executive Government of the Territories") is regulated by "The North-West Territories Act" of the Parliament of Canada and the Acts in amendment thereof, and, in the view of the undersigned, the Parliament of Canada is paramount in authority as to all matters respecting that subject, and is indeed the only authority which can regulate and define the mode of government which is to exist in the Territories.

It follows from this that an Ordinance which goes beyond the mere regulation of detail and which is not entirely in subordination to the Acts of Parliament, or which limits or extends the powers and responsibilities of the Lieutenant-Governor as established by those Acts is, so far, *ultra vires* of the Legislature of the Territories.

By Section 4, Sub-section 2, of Chapter 50 of the Revised Statutes of Canada, "The North-West Territories Act," it is provided that "The Lieutenant-Governor shall administer "the Government under instructions from time to time given "by the Governor-in-Council or by the Secretary of State of "Canada."

This principle has been modified by two Statutes.

By Chapter 19 of 1888, Section 13, it is provided as follows:—

"The Lieutenant-Governor shall select from among the "elected Members of the Legislative Assembly four persons to "act as an Advisory Council on matters of finance, who shall "severally hold office during pleasure: and the Lieutenant-"Governor shall preside at all sittings of such Advisory Coun-"cil and have a right to vote as a member thereof, and shall "have also a casting vote in case of a tie."

By Chapter 22 of 1891, Section 6, sub-section 12, the Legislative Assembly is authorized to make Ordinances relating to (among other things).

"The expenditure of Territorial funds and such portion of "any moneys appropriated by Parliament for the Territories "as the Lieutenant-Governor is authorized to expend by and "with the advice of the Legislative Assembly or of any Com- "mittee thereof."

There is reason for believing that it was intended, in passing this latter enactment, (Chapter 22 of 1891) to repeal Section 13 of Chapter 19 of 1888, and to leave matters of expenditure to be regulated by the Assembly, or by a committee thereof, under the Section just quoted.

It was suggested to the Lieutenant-Governor that it would not be difficult to make the two Sections above cited harmonize and that the Legislature would, of course, keep in view both provisions in framing any Ordinance under the Act of 1891, and that, if a Committee of the Assembly should be chosen by that body to deal with matters of expenditure, His Honor might constitute that Committee his Advisory Council, under the Act of 1888, if the numbers corresponded, as they might well do.

At all events, the Parliament of Canada has vested the Executive Government of the Territories in the Lieutenant-Governor, acting under instructions from Your Excellency in-Council, or from the Secretary of State, with an Advisory Council on matters of finance, (under Section 13 of Chapter 19, 1888), or a committee under Chapter 22 of 1891, composed of members of the Legislative Assembly.

Possibly the enactment of 1891 may be regarded as authorizing the Assembly to make an Ordinance to establish a Committee having powers to deal with matters of expenditure, instead of the Advisory Council.

In any case, the functions of the Advisory Council under the Act of 1888, or the committee under the Act of 1891, are limited to matters of finance and expenditure.

The Ordinance under review, however, contains the much more extensive provisions that "There shall be a Committee "to aid and advise in the Government of the Territories so far "as the same is vested in the Lieutenant-Governor and the "Legislative Assembly."

This Committee, according to the Ordinance, is to consist of four persons, at least, chosen by the Lieutenant-Governor from the members of the Legislative Assembly.

They are to advise him on all matters connected with his duties of office, and not merely on matters of finance and expenditure.

In the opinion of the undersigned, this Ordinance is *ultra vires* of the Legislature of the Territories excepting in so far as it may be considered and construed to be an Ordinance in relation to "The expenditure of Territorial funds and such "portion of any moneys appropriated by Parliament for the "Territories as the Lieutenant-Governor is authorized to ex- "pend by and with the advice of the Legislative Assembly or "of any committee thereof."

If given any wider effect, it would conflict with the provisions of "The North-West Territories Act" and the amendments above cited, as it would imply that the Lieutenant-Governor is to administer the Government as to all matters, according to the advice of the Executive Committee according to the Ordinance.

The undersigned is informed that an intimation was conveyed to the Lieutenant-Governor, while the Ordinance was under consideration by the Legislature, that this opinion was held by Your Excellency's Advisers, and that the Ordinance interpreted otherwise, would be beyond the powers of the Legislature, but that His Honor was pleased to give the Ordinance his assent: and the undersigned is further informed that His Honor was advised that the Ordinance could not be recognized as having any validity or effect other than that before mentioned, and that he would be expected to conform to the Statutes of Canada in all matters relating to the Government of the North-West Territories, and could not be relieved from responsibility by the circumstance of his having advisers on the general affairs of Government under the Ordinance in question.

This being the case, it has not been considered necessary to advise Your Excellency to disallow the Ordinance, although, in the view of the undersigned, it requires to be amended in order that confusion and misinterpretation be avoided.

It will probably be sufficient that the expression of opinion contained in this Report, if it should meet with Your Excellency's approval, be conveyed to His Honor.

The undersigned has, therefore, to recommend that a copy of this Report, if approved, be transmitted to His Honor the

Lieutenant-Governor of the North-West Territories, together with a copy of the Minute approving the same.

Respectfully submitted,

(Signed) JOHN S. D. THOMPSON,
Minister of Justice.

22. Speech from the Throne by Lieutenant Governor Royal, Sept. 16, 1893.

Gentlemen of the Legislative Assembly:

As this is the last public occasion upon which I may expect to meet you, allow me to say that, in resigning the administration of the Government of the Territories into the hands of my successor, I shall do so with mingled feelings of regret and satisfaction.

I shall regret to leave you because I have never failed, even under trying circumstances, to receive at your hands the loyal treatment due to the representative of Her Majesty, notwithstanding the fact that at times our duty appeared to lie in opposite directions.

It was mine to carry into effect what I considered to be the Law, as laid down by the Parliament of Canada, for regulating your share of responsiblity in the administration of public affairs, and, whilst you claimed to exercise a more complete control over the expenditure, that Law placed me in a somewhat invidious position of appearing to oppose the popular requests. Notwithstanding this controversy, no unpleasantness ever arose between me and the Assembly.

When on the 4th July, 1888, I was sworn in as Lieutenant-Governor of the North-West Territories, the functions of that office were as totally different from those of the Lieutenant-Governors of the Provinces, as they will be from those to be performed by my successor. I was responsible to the Privy Council of Canada alone for all executive acts done in the Territories. The Assembly had hardly a voice in the Government of the Country and the Lieutenant-Governor was practically a Political Commissioner under whose direct supervision and authority the affairs of the Territories were conducted and administered.

Now all this has been materially changed and hence my satisfaction.

The Legislature to-day practically enjoys the rights and privileges of self government. Let me congratulate you sincerely upon the wisdom and discretion you have displayed in undertaking your new and important duties.

My satisfaction is further derived from the fact that these Territories are at the present time enjoying a measure of peace and prosperity unsurpassed, if not unequalled, by any other portion of the Dominion of Canada. In this happy condition of affairs, for which we have to thank the Divine Providence. I now take leave of this Assembly.

6. The Attainment of the Provincial Status.

1. Extract from a Motion by Mr. Frank Oliver in the Council of the N.W.T., July 29, 1884.[1]

5. That while the location and boundaries of the different Provisional or Postal Districts in the North-West make those districts well suited for erection into Provinces some time, it is not advisable at present to separate them from each other and place each one under the control of a Petty Provincial Parliament.

2. Letter from Lieutenant-Governor Forget to the Secretary of State, July 20, 1900.

GOVERNMENT HOUSE,
REGINA, *July* 20, 1900.

The Honourable,
THE SECRETARY OF STATE,
Ottawa, Ont.

SIR,—I have the honour to transmit herewith for submission to His Excellency the Governor General, an Address passed by the Legislative Assembly of the Territories, on the second day of May last, signed by the Speaker.

I have the honour to be, Sir,
Your obedient servant,

A. E. FORGET,
Lieutenant Governor.

[1] Journals of the Council of the N.W.T., 1884.

3. Memorial from Legislative Assembly, N.W.T., to Dominion Government, May 2, 1900.

To His Excellency the Right Honourable Sir Gilbert John Eliot Murray-Kynnymmond, Earl of Minto and Viscount Melgund of Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of the most Distinguished Order of St. Michael and St. George, etc., etc., Governor General of Canada.

May it Please Your Excellency—

We, Her Majesty's dutiful and loyal subjects, the Legislative Assembly of the North-West Territories of Canada, in Session assembled, humbly approach Your Excellency for the purpose of representing—

That by The British North America Act 1867 it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Address from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union on such terms and conditions in each case as should be in the Addresses expressed and as the Queen should think fit to approve subject to the provisions of the said Act;

That by an Address from the Houses of the Parliament of Canada, Her Majesty was prayed to unite Rupert's Land and the North-Western Territory with the Dominion of Canada.

That in order to further the petition of the Parliament of Canada, Her Majesty, under the authority of The Rupert's Land Act 1868, accepted a Surrender from the Governor and Company of Adventurers of England trading into Hudson's Bay of all the lands, territories, rights, privileges, liberties, franchises, powers and authorities whatsoever granted or purported to be granted by certain Letters Patent therein recited to the said company in Rupert's Land;

That in the said Address it was represented to Her Majesty, as a reason for the extension of the Dominion of Canada westward, that the welfare of the population of these Territories would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances

will admit, to those which existed in the several Provinces then forming the Dominion;

That the Houses of Parliament of Canada by their said Address expressed to Her Majesty their willingness to assume the duties and obligations of government and legislation as regards these Territories;

That in pursuance and exercise of the powers vested in the Queen by the aforesaid Acts, Her Majesty, by and with the advice of Her Most Honourable Privy Council, ordered and declared that from and after the fifteenth day of July, 1870, Rupert's Land and the North-Western Territory should be admitted into and become part of the Dominion of Canada, and granted power and authority to the Parliament of Canada to legislate for the future welfare and good government of these Territories;

That by The British North America Act 1871 the Parliament of Canada was further given power from time to time to make provision for the administration, peace, order and good government of any Territory not for the time being included in any Province;

That under the several authorities so given the Parliament of Canada has created political institutions in these Territories bearing a close analogy to those which exist in the several Provinces of the Dominion;

That by the Confederation compact the Provinces which formed the Dominion on the fifteenth day of July, 1870, were furnished with the means of carrying on local self-government upon certain well defined bases;

That the Territories being an integral part of the Dominion, and having had imposed upon them the duties and obligations incidental to the political institutions which have been given to them, and which said duties and obligations the Parliament of Canada has declared its willingness to assume, are entitled to such Federal assistance for their maintenance as will bear due proportion and analogy to that given to other portions of the Dominion for similar purposes;

That repeated representations have been made in various ways to the Government of Canada with a view to obtaining just and equitable financial assistance towards providing for the proper and effective administration of local affairs in the Territories and for the public necessities of their rapidly increasing population;

That such representations have been met by intermittent and insufficient additions to the annual grant, the provision so made by the Parliament of Canada never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institutions created by itself;

That it is desirable that a basis should be established upon which the claims of the Territories to suitable financial recognition may be settled and agreed upon;

That we do therefore most humbly pray that Your Excellency will be graciously pleased to cause the fullest inquiry to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as will provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of government and legislation, assumed, with respect to these Territories, by the Parliament of Canada;

And furthermore that, by The British North America Act 1871, it was (amongst other things) enacted that the Parliament of Canada may from time to time establish new Provinces in any Territories forming for the time being part of the Dominion of Canada but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of . . such Province, we do therefore most humbly pray that Your Excellency will be also graciously pleased to order inquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories or any part thereof shall be established as a Province, and that, before any such Province is established, opportunity should be given to the people of the Territories, through their accredited representatives, of considering and discussing such terms and conditions.

All which we humbly pray Your Excellency to take into Your Excellency's most gracious and favourable consideration.

WILLIAM EAKIN,
Speaker of the Legislative Assembly
of the North-West Territories.

Legislative Assembly Chambers,
Regina, N.W.T., May 2, 1900.

4. Letter from Secretary of State's Department to Lieutenant-Governor Forget, July 25, 1900.

DEPARTMENT OF THE SECRETARY OF STATE,
OTTAWA, July 25, 1900.

His Honour,
The Lieutenant Governor of the North-West Territories,
Regina, N.W.T.

SIR,—I have the honour to acknowledge the receipt of your letter of the 20th instant, transmitting for submission to His Excellency the Governor General, an address passed by the Legislative Assembly of the Territories, on the Second day of May last, and to state that the matter shall receive attention.

I have the honour to be, Sir,
Your obedient servant,

B. PELLETIER,
Acting Under Secretary of State.

5. Letter from Premier Haultain to Minister of the Interior, Jan. 30, 1901.

OTTAWA, January 30, 1901.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa, Ont.

SIR,—Following up the discussion between you, Mr. Ross and myself, on the subject of the North-West Assembly Memorial of the Second of May last, I now beg, agreeably to your request, to make a further statement in writing. The Memorial, while leading to definite constitutional changes, approaches the subject from the financial point of view and points out how, in the opinion of the Legislature, our legislative jurisdiction and administrative responsibilities have been enlarged and increased out of all proportion to the means placed at our disposal. I need not enlarge on this side of the question, as it has already been placed very fully before you in the financial statements furnished to you for the past two years by my colleague Mr. Ross. While financial embarrassments rather than constitutional aspirations have led the North-West Government

and Legislature to discuss the provincial status I think that sufficient practical reasons can be given for the early establishment of provincial institutions in the West.

We have a rapidly growing population, much larger, as the census will show, than that of British Columbia ten years ago, and than that of Prince Edward Island today; a population trained to the exercise of powers of self-government falling a little short only of those enjoyed by the Provinces. For nearly thirteen years the North-West Legislative Assembly has been occupied with founding local institutions and a body of laws suitable to the condition and circumstances of the country. Our parliamentary vote is apparently incapable of expansion at all in proportion to the needs of a rapidly developing country and our powers circumscribed as they are by the necessities of our present anomalous constitutional position, falls short just at the point where further progress demands their exercise.

The Territories have arrived at a point, where, by reason of their population and material development, the larger powers and larger income of a Province have become necessary. I have already in former communications pointed out to you how our limited powers are still more limited by the reservation of subjects such as the Land Titles law, the administration of the Criminal law and the control of the public domain. It is undoubtedly in the interest of any Province or Provinces hereafter to be established, that the important questions surrounding the subject of the public domain should be settled at once, and before any more of the public lands of the Territories are alienated from the Crown.

For these and other reasons which need not be advanced at length, I would ask you to urge the earliest possible action on the part of the Government on the lines suggested and with the object proposed by the Assembly Memorial.

I have the honour to be, Sir,

Your obedient servant,

F. W. G. HAULTAIN

6. Letter from Minister of the Interior to Premier Haultain, Mar. 21, 1901.

DEPARTMENT OF THE INTERIOR,
OTTAWA, March 21, 1901.

Hon. F. W. G. HAULTAIN,
Regina, Assa.

SIR,—Referring to your communication of the 30th January, and the conversations which I had with yourself and Mr. Ross in Ottawa, I may say that I realise very fully the difficulties of the position in which the Government and Legislative Assembly of the North-West Territories are placed, and I admit that there is very much in the suggestions which are made in your letter and in the memorial regarding the necessity of a change in the constitutional and financial position of the Territories.

Without at the present moment committing myself to any positive statement I am prepared to say that the time has arrived when the question of organising the Territories on the Provincial basis ought to be the subject of full consideration. It would appear to me that the better way of bringing the matter to a more definite position would be to arrange for a conference upon the subject between the representatives of your Government and a committee of Council representing the Federal Government. I shall be pleased to bring about arrangements for such a conference at any time that is mutually convenient.

Yours faithfully,

CLIFFORD SIFTON.

7. Letter from Premier Haultain to Minister of the Interior, Mar. 30, 1901.

REGINA, March 30, 1901.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa, Ont.

SIR,—I duly received your letter of the 21st instant, from which I was pleased to learn that you are of opinion that the

time has arrived when the question of organizing the Territories on the Provincial basis ought to be the subject of full consideration, and I will be glad to arrange for a conference upon the subject between representatives of the Territorial Government and the Privy Council at the earliest date convenient to you. The Legislative Assembly has been summoned for the second day of May and, while it would be impossible for us to be absent during the six weeks following that date, I think that it would be well that the discussion should be advanced as far as possible before the Legislature meets.

Yours faithfully,

F. W. G. HAULTAIN,
Attorney General.

8. Letter from the Minister of the Interior to Premier Haultain, April 5, 1901.

DEPARTMENT OF THE INTERIOR,
OTTAWA, April 5, 1901.

Hon. F. W. G. HAULTAIN,
Regina, Assa.

Dear Mr. HAULTAIN,—I have your letter of the 30th ultimo. I regret to say that with every desire to advance the discussion of matters relating to the status of the Territories I fear that it will be totally impossible for us to have a meeting before your legislature assembles. The latter portion of the Session of Parliament here finds all the Members of the Government extremely busy, and it would be hopeless to expect from them that mature and careful consideration of the various and important subjects which will require to be debated and settled in connection with the establishment of the Territories as a Province or upon a Provincial basis. I think I shall therefore be compelled to ask you to defer the discussion until after Parliament has prorogued.

Yours faithfully,

CLIFFORD SIFTON.

9. Telegram from Premier Haultain to Minister of the Interior, June 4, 1901.

REGINA, June 4, 1901.

Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa.

Can you arrange early meeting for us with sub-committee of Council before Ministers disperse for summer? Any time after fifteenth will suit us.

F. W. G. HAULTAIN.

10. Telegram from the Minister of the Interior to Premier Haultain, June 5, 1901.

OTTAWA, June 5, 1901.

Hon. F. W. G. HAULTAIN,
Regina.

It is impossible to settle date of conference now. Finance Minister must be present. He has gone to England and is not expected back until August.

CLIFFORD SIFTON.

11. Telegram from Hon. A. L. Sifton to Minister of the Interior, Aug. 10, 1901.

REGINA, August 10, 1901.

Hon. CLIFFORD SIFTON,
Gananoque.

Could you fix approximately date of conference? Want to make some appointments and will save trouble if we know about date.

ARTHUR L. SIFTON.

12. Telegram from the Minister of the Interior to Hon. A. L. Sifton, Aug. 14, 1901.

GANANOQUE, August 14, 1901.

Hon. A. L. SIFTON,
Regina.

I think about the first week in October.

CLIFFORD SIFTON.

13. Letter from Premier Haultain to Sir Wilfrid Laurier, Dec. 7, 1901.

EXECUTIVE COUNCIL,
REGINA, December 7, 1901.

The Right Honourable
Sir WILFRID LAURIER, G.C.M.G.,
President of the Council,
Ottawa, Ont.

SIR,—In response to the request made by the sub-committee of the Privy Council convened to consider the matters referred to in the Address to His Excellency the Governor General in Council presented by the Legislative Assembly of the Territories pursuant to Resolutions adopted on the Second day of May, 1900 (a copy of which is attached hereto), I have the honour to submit, on behalf of the Government of the Territories, the following statement of the present position as it appears to us, together with such remarks as seem to be necessary to properly set forth the reasons which led the Assembly to request that enquiries be made and accounts be taken with a view to the establishment of provincial institutions within that portion of the North-West Territories lying between the Provinces of Manitoba and British Columbia.

For a number of years back the attention of the Dominion Government has annually been directed to the necessities, financial and otherwise, of the Territories, in the estimates submitted through the Honourable the Minister of the Interior. Occasion has always been taken to set forth, as briefly as possible but necessarily with some considerable detail, the difficulties met with in the administration of affairs in the Territories. The documents submitted, I understand, were presented to Parliament during its last session so that their tenor will no doubt be familiar to you, and it will not be required that the matters they dealt with shall be repeated here. Put in the briefest possible form the position is simply this: The population of the Territories has been and is increasing so rapidly as the result of the efforts put forth by the Immigration Branch of the Interior Department that the means at the command of the Territorial Government are far from being sufficient to enable it to properly administer the affairs of the country. The increase in the population has increased our work and expenditures by a rate far greater than can be measured by the mere increase

in the number of the people. Immigration in other parts of the Dominion has resulted largely in adding only to the population in settlements and towns previously in existence: in the Territories it is not so. New settlers in the North-West seem desirous to pass by the settlements already opened up and to become pioneers in districts removed as far away as practicable therefrom. The new settlements are too small and the settlements are too widely scattered to bear the burdens which necessarily go with the opening up of a new country, and the fact cannot be disguised that they must be assisted to do so if the people are to become contented and prosperous, or even retained in the country. Bridges or ferries must be provided where it is necessary to cross rivers to reach market points. Where difficulty is met with in procuring an adequate water supply the Government has found it necessary to procure and operate machinery at considerable expense in order to sink public wells, or—as has been found practicable in some districts—to construct reservoirs in valleys or other natural depressions in order to conserve the surface water for the use of stock and even, in some instances, for domestic purposes. Wherever water courses run in the Territories the valleys are deep, the banks being often precipitous. These have the effect of rendering the ordinary road allowances, as laid down by the Dominion lands system of survey, impossible. They cannot be travelled and new roadways have to be provided, generally at considerable expense for right of way and construction. These are but a few of the difficulties which the Government of the Territories is called upon to find a means of ameliorating. There are others which it would appear to be needless to take up your valuable time by enumerating in detail, as it may be said they are all of the same character, being hindrances and drawbacks to the settlement of the country. In the older settled districts other difficulties arise. Where the people have advanced beyond the pioneer stage they often find themselves handicapped for lack of proper transportation facilities in order to place their produce upon their markets. Roads may be made, but when grain and dairy produce have to be hauled twenty, thirty and at times a greater number of miles in order to reach a market or shipping point no matter how good the road may be the return for the farmer's labour and use of his capital will show a tendency to pass the vanishing point.

It is thought that sufficient has been said to indicate to you the position in which the Government of the Territories finds

itself. In addition to the work of administration which devolves upon all governments, there is a constant—and hitherto, it must be admitted, lamentably ineffectual—struggle to keep pace with the work caused by the rapid development of the country by reason of the great increase in the population. It may be thought that the people ought to do this work for themselves, as to them will accrue the benefits, but whilst I am disposed to agree to the general proposition that, under ordinary conditions, the question of the provision of what may be called local public improvements is a matter of purely local and sectional concern, yet I am confident that you will readily recognize that the conditions at present existing in the Territories are far removed from being ordinary. After the subsidence of the first movement of people into the Territories consequent upon the completion of the Canadian Pacific Railway, the influx of population for a number of years did not proceed at the rate so noticeable of late, and no very great difficulties were met with in dealing with the conditions as they then existed. With the means provided in those days the Government was in an infinitely better position than is the case now, notwithstanding the fact that the grants made by Parliament for Government in the Territories have been materially increased upon the representations made to the Dominion Government from time to time. The public necessities are not created so much by the mere fact that thirty, forty or even fifty thousand people may be added to the population in any one year; but rather to the certainty that nearly every small group of new settlers, united by any tie whatever, means practically the opening up of a new settlement. We have no congested communities in the Territories. In some districts the land available for homestead purposes has practically all been taken up, but they are very few in number and extremely limited in area, and there is no evidence of any disposition amongst the people now coming to us to locate in districts already settled. I do not desire to press this point unduly, and I think that it will be made abundantly clear by a brief consideration of the following statement respecting the number of school districts and the annual increase during the past few years:

From the date of the passage of The School Ordinance in 1884 to the end of 1896, school districts were organised to the number of.....	436

At the end of	1897	there were....	457	an increase of	21
"	1898	"	480	"	23
"	1899	"	524	"	44
"	1900	"	576	"	52
At the present time, besides 35 districts in process of erection, there are.....			649	"	73

These figures give some idea of the number of new settlements that have been opened up within the past five years though it is not intended to convey the impression that the school districts represent all the settlements in the country, as there are a number, mostly opened up but recently, where the pressure of the struggle for mere existence has prevented any attempt being made to establish schools, notwithstanding the efforts of the local Government in that direction.

I have spoken of the number of the settlements in the Territories, and, as I have said, these are not only small for the greater part and far removed one from the other, but the people themselves are scattered widely. In very few districts have the people begun to emerge from what may be referred to as the pioneer form of existence, and the creation of anything but the simplest and most elementary organisations amongst them is impracticable. We have however, succeeded in bringing such organisations into existence, notably in our school districts and local improvement districts. Through their means we have been enabled to call upon the people for all that it is possible to expect of them. Further additions to the public taxation might possibly be made, but good and sufficient reasons exist why they should not. In the first place, it would be calculated to militate against the work of the Dominion Government in seeking to induce people from other lands to come and settle down amongst us. After all is done and said the real and most successful immigration agent is the contented settler, and a heavy rate of taxation, no matter how necessary, is not calculated to satisfy the man who is struggling to make a home in this undeveloped country. Then again, to require the people of the Territories to carry on the work of opening up and developing the country would not be to treat the early settlers in the North-West in the manner in which the people of the older Provinces have been treated. I need hardly remind you that on the completion of the Confederation of

the Provinces of Upper and Lower Canada, Nova Scotia and New Brunswick, the new Dominion immediately found itself in the possession of a debt amounting to $93,000,000 of which sum only about $17,000,000 could be shown to be represented by assets in any form or at any value whatever. It would be difficult at this date to state with any degree of certainty in what manner and for what purposes the Provinces originally forming the Confederation had created the debts they transferred to the Dominion, but I can refer you to the statement of Mr. (afterwards Sir) Alexander Galt, the Finance Minister in the last Government of the old Province of Canada, made in his speech upon the discussion of the Quebec resolutions. Mr. Galt, in presenting the financial aspect of the confederation question to the House, said:

" . . . . It is necessary for us to review the liabili-
" ties of each Province, the reasons why they were incurred,
" the objects which have been sought. In doing so, the House
" will not fail to remark that the same policy has animated the
" Legislature of all the Provinces, or perhaps I should speak
" more exactly in saying those of Canada, New Brunswick
" and Nova Scotia. The public debt of all these Provinces
" has, with some slight exceptions, been incurred for public
" improvements, intended to develop the resources of the coun-
" try to attract immigration and wealth to their respective
" shores, to cheapen the means whereby the products of their
" farms were to be taken to market, and to reduce the cost of
" freight of articles which enter largely into the consumption
" of their inhabitants."

This statement appears to have passed without contradiction, and it may therefore be accepted that some considerable portion of the net debt of Canada on July 1, 1867, amounting to $75,728,641, has been created by expenditures for the purposes described by Mr. Galt. This debt is still unpaid, and its cost is borne by every person in Canada who contributes in any form to the revenue of the Dominion, whether he resides within the boundaries of the Provinces for whose benefit the money borrowed was expended, or elsewhere. These provincial debts, too, it must not be forgotten, represent expenditures made over and above the expenditures rendered possible by the public revenues. You will, I trust, pardon me if I press your attention to the different manner in which the Dominion

looks upon the development of the North-West. All our public revenues go to swell the Consolidated Fund of Canada, our public domain is employed for purely Federal purposes, and we are not permitted to draw on the future. Our revenues are rigidly limited for all practical purposes by the grants annually made by Parliament for "Government of the North-West Territories," and we are not even entrusted with the expenditure of the whole amount of that sum. The grants made have never been considered from the view point of the requirements of the Territories. Carefully and economically prepared estimates of the cost of public requirements have been annually forwarded to Ottawa, but provision has never yet been made for the actual and crying necessities of the country. Last January we asked for a grant of $600,000, based upon closely considered details. Parliament met the request by appropriating the sum of $357,979 to meet the case. As a result, from one end of the country to the other complaints are rife as to lack of transportation facilities—roads, bridges, ferries, drains and other similar necessities—to permit not only old settlers to travel, but to enable new settlers, brought into the country by Dominion officials, to reach the locations to which their attention had been directed and which had been selected for their future homes. Expenditures, and large expenditures, too, are as urgently and imperatively required in the North-West today for "public improvements," "to develop the resources of the country," "to attract immigration" without speaking of "wealth," "to cheapen the means whereby the products of the farm are to be taken to market," as they ever were in the old Provinces of Canada, Nova Scotia or New Brunswick, and it does not seem at all inappropriate, in view of the circumstances, that Canada should provide the money for these purposes, for it is Canada at large, and not the North-West in particular, that will most benefit by the attraction of desirable immigrants to the country.

One other objection to the introduction of a sufficiently heavy rate of taxation to meet the general public requirements is found in the fact that the cost of a large number of the public works we are now constructing should properly be chargeable to capital expenditure. As we have no capital account, having no power or authority to utilise the public credit in any way, we are compelled to devote an unreasonably large part of our limited annual income towards defraying the cost of such

works, instead of spreading the expediture over a term of years. You will at once perceive that it would be an undoubted hardship upon the people who are now here were they required to tax themselves for the cost of such works. They would not only be compelled to bear the cost of rendering the country habitable for themselves, but at the same time to develop it for the benefit of those who are yet to come instead of being enabled to place part of the cost upon those who will benefit by the results of the expenditure. Besides, such works not only serve the purpose of providing public conveniences and improvements, but every dollar spent upon them enhances the value of the lands held for various corporations by the Dominion Government and which do little or nothing to assist in the work. This is felt to be a public grievance but is one which I am glad to learn, the Government is making an earnest endeavour to remove as far as is at present practicable.

Our financial difficulties, though the most serious which we have to meet, are not the only ones, nor are they more pressing or important in their bearing than others to which I have the honour to direct your attention. I will be brief in doing so though I have no desire to minimise their importance. They might for the purpose of consideration be divided into two classes, those, namely, which relate to our administrative work and those others which relate to our legislation, but having pointed out that possible distinction I do not think it will be necessary to deal with the questions involved in detail. The North-West Territories Act, by which our constitutional powers are defined, derives its authority from that section of The British North America Act 1871 which gives to the Parliament of Canada power to make provision for the "administration, peace, order and good government" of the Territories. Under that authority from time to time, step by step, power by power, and in keeping with the spirit of the representations made to Her late Majesty by Parliament when the intervention of the Imperial authorities was sought in order to have Rupert's Land brought into the Dominion, Parliament has built up in the Territories "political institutions bearing analogy, as far as the circumstances" probably admitted, to those which existed in the several Provinces forming the Dominion in 1867. Section 92 of The British North America Act 1867 and Section 13 of The North-West Territories Act as it has been amended from time to time run along almost identical lines, but there

are omissions in and additions to The North-West Territories Act which for many purposes render futile the powers which it professes to give. I might instance the power given to the Assembly by the Act to pass Ordinances with respect to "property and civil rights." In the face of the enactment by Parliament of The Land Titles Act 1894 it will be realised that with respect to land, which forms by far the most visible form of "property" in the North-West, the Legislative Assembly is powerless. With respect to the administrative difficulties created by our Territorial position I will do no more than refer to the fact that public necessities and the exigencies of the case have required us to practically duplicate much of the administrative work now being carried on for the Territories by the Dominion, and will refrain from doing more than instancing the work called for in the administration of justice as a case in point.

The impossibility of continuing the present system upon its present basis must be self-evident. On the one hand, our limitations—rigidly fixed by Parliament in some instances and equally firmly placed by circumstances in others—preclude our doing for ourselves the things that ought to be done, and, on the other hand, Parliament makes no effort to assist us with even an approximate degree of adequacy. I have spoken of the work to be done by the Government of the Territories as being "ours," but I am satisfied that you realise as fully as we do that the work is only ours to do, as the doing of it and whatever may be accomplished when it is done will all redound to the credit and be for the benefit of Canada. We have been moderate in our requests for means to carry on the work given to us to do, and the successive annual failures of Parliament to meet the requirements have now brought us face to face with accrued public necessities far and away beyond our means to cope with. The Legislative Assembly has prayed that His Excellency will be pleased to make inquiry into the position of the Territories and to cause action to be taken to provide for their present and immediate welfare and good government. What can be done? In the first place I have to assure you that the present condition of the Territorial Treasury demands that a sum of not less than $465,000.00 be available before the close of the current Dominion fiscal year in order to enable us to even attempt to perform our public duties during the first half of 1902. Towards that sum Parliament has already made an appropriation out of which $178,989.50 will be available

and which we may possibly be able to increase by $35,000.00 from other sources. We thus have a depleted Treasury to meet a deficit which in six months from now will amount to at least $250,000.00. We can only look to Parliament for this money. It is not possible for us to obtain it here or advisable to make any attempt to do so. The public work must go on, and the longer it does so under existing conditions the further behind will we fall. This position is not one upon which either the Government or the Legislative Assembly of the Territories can look with equanimity, and I am convinced that once it is realised by the Dominion Government it will not be permitted to continue. Neglect to furnish prompt relief cannot but have the effect of neutralising the efforts of the Dominion to people the Territories, and it does not seem to us to be probable that Parliament, after making generous provision for carrying on the work of inducing immigration to the Territories will be niggardly in providing for assisting to retain the peopl so brought here.

Granting that the foregoing statement has the effect which we earnestly trust it will have, and that we shall receive your assurance that our present financial necessities will be relieved as soon as Parliament can be asked to make the necessary provision therefor, what then? How shall the future requirements be met? From official announcements made on different occasions we are led to the belief that there are good prospects of larger and more extensive movements of people towards the North-West than any yet seen. Will Parliament continue to provide the means for carrying on the work we know to be necessary, making increases in the grants made for the purpose bearing some proportion to the increases in the numbers of the people coming to us, as well as capital to permit development work to be carried on? If so, well and good. The Legislative Assembly has suggested that the time has arrived when some consideration be given to this question, and by its Address before cited has asked that. "inquiries be made and accounts "taken with a view to the settlement of the terms and condi- "tions upon which the Territories or any part thereof shall be "established as a Province." This request is made in the belief that such an inquiry will make it clear that the establishment of a Province in the Territories upon equitable terms will relieve the Dominion of any necessity for annually considering Territorial questions. It is thought that the time is opportune for looking into this matter. Our official machinery

is now upon a working basis and it does not appear that any disturbance of equilibrium can result from the operation of the increased powers and added duties that will follow the change. The present tentative nature of much of our legislation and some of our public institutions can be amended by the introduction of measures tending to place them upon a permanent footing, which work can be better done in the near future than at a time when the weakness and ineffectiveness of much of our work, due to causes already referred to, have had time to create public dissatisfaction and uneasiness. During the consideration which I have no doubt will be given to this part of the prayer of the Legislative Assembly, there are some matters which we respectfully submit, should receive most careful and thorough examination. It goes without saying that the principles of The British North America Act will form the basis of the constitution of any Province created. We seek for no advantages over any other Province, and we do not anticipate that we will be denied any privileges given elsewhere. After giving some earnest thought to the matter of presenting this part of the subject as desired by the sub-committee of the Privy Council, I have concluded that I cannot do so in any better manner than by submitting the views of the Executive Council of the Territories in the form of a draft Bill, in which the several points we would like to have brought to an issue are duly set forth, making such comment upon the principles involved as occurs to me in connection with each section or group of sections, and from this point onwards this communication will take the form thus indicated.

An Act to Establish and Provide for the Government of the Province of

His Majesty by and with the advice and consent of the Senate and House of Commons of Canada enacts as follows:

1. On, from and after the first day of January, 1903, that portion of the territory known as Rupert's Land and the North-Western Territory admitted into the Union or Dominion of Canada by Her Majesty Queen Victoria by and with the advice and consent of Her Majesty's Most Honourable Privy Council by Order bearing date the twenty-third day of June, 1870, under the authority of the 146th section of The British North America Act 1867, described as the Provisional Districts of Assiniboia, Saskatchewan and Alberta as the said districts are defined by Orders of His Excellency the Governor General of the Dominion of Canada made in Council on the eighth day

of May, 1882, and the second day of October, 1895, respectively, and that portion of the Provisional District of Athabasca, as the said district is defined by Order of His Excellency the Governor General of the Dominion of Canada made in Council on the eighth day of May, 1882, and the second day of October, 1895, respectively, lying to the south of the fifty-seventh parallel of north latitude, shall be formed into and be a Province which shall be one of the Provinces of the Dominion of Canada and which shall be called the Province of

MEMO.—In considering the question of the area to be included in this Province it may be claimed that the area proposed is too large for one Province. In this connection it should first be noted that the proposed area when compared with several of the other Provinces of the Dominion stands as follows:—

Quebec	347,000	square miles.
Ontario	220,000	" "
British Columbia	383,000	" "
Proposed Province	404,000	" "

From this comparison it will be noted that the proposed Province contains an area considerably larger than that contained in either of the three other Provinces mentioned, but it must be remembered that a large portion of the district of Athabasca and of the northern and eastern portion of Saskatchewan proposed to be included in the new Province will never, owing to situation or physical features, or both, contain anything more than a very small and scattered population. The area which it is proposed to include in the new Province is practically the area administered by the present Territorial Government and the experience of the past few years has indicated that there is no difficulty in properly administering the area from one centre.

The present cost of the Government "machine" in the Territories is proportionately much less than in the older Provinces above mentioned and although the full provincial powers will bring with them added duties and necessitate extensive additions to some of the present Territorial departments, these additions can easily be made and the departmental machinery extended to cover these services.

Our present cost of Government only amounts to ten per cent of the annual Territorial expenditure, which is much less than the percentage of charge for this service in the older Provinces and indicates that the present machinery of Government is well suited to the requirements of the country and can be extended much more cheaply and satisfactorily than any new Government departments can be organised.

The people in the provisional districts now administered by the Territorial Government, and which it is recommended should form the new Province, are well acquainted with and satisfied with the present Territorial laws and their administration, and there certainly does not seem anything to gain from a multiplication of Governments in the area proposed to be created into a Province.

The area in question, of course, contains much diversity of climate, soil, and other physical conditions which render it difficult to legislate in such a manner as to make the laws equally suitable to all portions, but no matter what division of the Territories might be made this condition would still exist and these difficulties have been fully realised and provided for in the existing Territorial laws.

2. On, from and after the said first day of January, 1903, the provisions of The British North America Act 1867, except those parts thereof which are in terms made or by reasonable intendment may be held to be specially applicable to or to affect only one or more but not the whole of the Provinces under that Act composing the Dominion, and except so far as the same may be varied by this Act, shall be applicable to the Province of in the same way and to the same extent as they apply to the several Provinces of Canada and as if the Province of had been one of the Provinces originally united by the said Act

MEMO.—This is the provision adopted on the incorporation of each of the Provinces since the Union.

3. The said Provinces shall be represented in the Senate of Canada by four members until it shall have according to decennial census a population of two hundred and fifty thousand souls and from henceforth it shall be represented therein by

five members and thereafter for each additional increase in population of fifty thousand souls according to decennial census there shall be an increase of one member in its representation until it is represented by twenty members.

MEMO.—This provision partially assumes a basis of representation by population which is not the usual basis for an upper chamber, or the basis applied at Confederation, but it was the basis adopted with certain limitations when Manitoba was formed, two members being given for the then population of 17,000 to be increased to three for a population of 50,000 and the ratio for subsequent representation being fixed for 25,000, practically one-half the ratio in the present instance from the commencement. The maximum number is reasonable on the basis of representation fixed by the Confederation Act, by which the country was divided into districts not equal in area or population but representative of different interests. The prairie portion of the country consisting of Manitoba and the proposed province comprises a division of the country as different in conditions and interests from the other portions of the country as the divisions under the Confederation Act, and the representation under this Act and the Manitoba Act would give it the same representation as each of the other divisions, while the limitation of twenty as compared with Manitoba's four seems reasonable on comparison of the areas and probable future populations.

4. The said Province shall be represented in the first instance in the House of Commons of Canada by ten members and for that purpose shall be divided by Act of Parliament or by Proclamation of the Governor General into ten electoral districts each of which shall be represented by one member: Provided that on the completion of each decennial census hereafter the representation of the said Province shall be readjusted according to the provisions of the fifty-first section of The British North America Act 1867.

MEMO.—By the Manitoba Act passed in 1870 Manitoba was given a representation of four members in a House to be elected in two years. The census taken in the following year showed a population of 18,995, which would have en-

titled her to one member. In 1881 the population had increased to 62,260, entitling her to three members. British Columbia, admitted in 1871 with a population of 36,247 entitling her to two members, was given six. In 1881 the population was 49,459. The Territories are now entitled on the basis of redistribution under the B.N.A. Act 1867 to six members, and the present rate of immigration and the prospects of immediate increase, which are much more promising than in the case of either Manitoba or British Columbia, which were given respectively four and three times the members they were entitled to on the same basis, would seem to indicate that the number of ten or twelve members in a House which is not to be elected for three or four years, errs if at all in the direction of being too few rather than too many. Even at the present moment the immigration for the year just about to close will give an estimated increase of more than 25,000 to the population as shown by the census lately taken.

5. The Executive Council of the Province shall be composed of such persons and under such designations as the Lieutenant Governor shall from time to time think fit.

MEMO.—This is exactly the same provision as that contained in The Manitoba Act except as regards the limit in number in the first instance to five, which appears uncalled for.

6. All powers, authorities and functions which under any law or custom which were before the coming into force of this Act vested in or exercisable by the Lieutenant Governor of the North-West Territories with the advice or with the advice and consent of the Executive Council thereof or in conjunction with that Council or with any member or members thereof or by the said Lieutenant Governor individually, shall as far as the same are capable of being exercised after the coming into force of this Act be vested in and shall or may be exercised by the Lieutenant Governor of the Province of with the advice or with the advice and consent of or in conjunction with the Executive Council or any member or members thereof or by the Lieutenant Governor individually as the case requires, subject nevertheless to be abolished or altered by the Legislature of the Province.

MEMO.—The provision of this section is practially the same as that contained in the 65th section of the Confederation Act in relation to Ontario and Quebec, and while there is no similar provision in the case of any of the other provinces then or afterwards admitted, they stand on a different footing inasmuch as all of them except Manitoba which had had no previous existence, were self-governing colonies with Governors directly representing the Crown, whereas the North West Territories have for years had a Lieutenant Governor exercising certain functions which, as well as the existence and status of such Lieutenant Governor, are purely the creation of a Dominion Act, and the section as proposed would settle any question which might arise with regard to the authority of the Lieutenant Governor of the Province in respect to functions exercised by the Lieutenant Governor of the Territories.

7. Unless and until the Executive Government of the Province otherwise directs the seat of Government of the same shall be at

(See memo. following Section 8.)

8. There shall be a Legislature for the Province consisting of the Lieutenant Governor and of one House styled the Legislative Assembly of

MEMO.—Sections 7 and 8 are the provisions of the British North America Act, Sections 68 and 69, and The Manitoba Act, Sections 8 and 9, on this subject. The location of the provincial capital is a matter of local concern and can only be finally decided upon after the creation of a Province. In the meantime, for practical reasons, the seat of Government will remain as it is.

9. The constitution of the Legislature of the North-West Territories as it exists on the first day of January, 1903, shall subject to the provisions of this Act continue to be the constitution of the Legislature of the Province of until altered under the authority of this Act; and the Legislative Assembly of the said Territories existing on the said first day of January, 1903, shall unless sooner dissolved continue as the Legislative Assembly of the Province of until the completion of the period for which it was elected.

MEMO.—When The British North America Act 1867 came into effect, there were, of course, no Legislative Assemblies in Ontario or Quebec, and in Nova Scotia the Assembly was dissolved. In New Brunswick, however, an Assembly existed, and provision was made by section 88 of The British North America Act 1867 similar to that contained in this section for its continuance. The Assembly of the Territories occupies the same relation to the Province that the Assembly of the then Province of New Brunswick did to the Province under Confederation and it seems fitting that the same provision should be made.

10. In and for the Province the said Legislature may exclusively make laws in relation to irrigation and, subject to any rights acquired under any Act of the Parliament of Canada before the first day of January, 1903, the property in and the right to the use of all the water at any time in any river, stream watercourse, lake, creek, ravine, canyon, lagoon, swamp, marsh or other body of water shall on, from and after the said date belong to and be vested in the Province unless and until and except only so far as some right of some person therein or to the use thereof inconsistent with the right of the Crown and which is not a public right or a right common to the public is established.

MEMO.—This section provides that laws relating to irrigation shall be made exclusively by the Province and transfers titles to all water to the Province. It is assumed in discussing this section that if the Province be created without special provision for this matter that the title to the water in unnavigable streams and lakes would under ordinary terms of The British North America Act pass to the Province but that the title to navigable waters would remain in the Government of Canada. This would make systematic irrigation impossible without joint legislation.

It has been clearly proved and admitted by the Dominion Government that in a large section of the Territories to be included in the new Province irrigation is a necessity.

This necessity exists in only a portion of the proposed Province and is therefore a "local"need which must be dealt with in the same way as other "local" needs in other portions of the proposed Province and under Provincial control and administration.

It is admitted by those interested that the success which has already attended the introduction of irrigation undertakings in the Territories is largely due to the careful government control which has been exercised of the record and use of water rights, and that such control can be best administered from local government sources was recognized some years ago by the Dominion Government when the delegation of the administration of The North-West Irrigation Act to the Territorial Commissioner of Public Works was made.

If, as has been assumed, the new Province will, under the terms of the British North America Act, own the water in unnavigable streams and lakes, the present provisions of The North-West Irrigation Act dealing with the title to such water will of course have to be repealed and unless the provision contained in section 10 of the proposed Act becomes law there will at once be a clash between the Dominion Government and the Provincial Government regarding the use of water for irrigation. This difficulty will arise owing to uncertainty as to the streams or other bodies of water which are navigable and must be dealt with by the Dominion and the other bodies of water which will become the property of the Province and can only be dealt with by the Province.

In the Irrigation States and Territories to the South of the new Province one of the greatest drawbacks to irrigation development has resulted from litigation as to the title to water rights, and this difficulty can only be abolished in the new Province by continuing the present exact and carefully administered system of Government control and record of water rights, and that system cannot be continued if there is any question as to which Government (Dominion or Provincial) is entitled to deal with these water rights.

The difficulty could of course be overcome by special provision being made in the Act, reserving the title to all water to the Dominion, but if this were done the new Province would be treated on an entirely different basis from the other Provinces of the Dominion, including Manitoba, and would be precluded from dealing with a matter which as has been stataed is a purely local one, and which experience has proved can be best dealt with by a department in close touch with the people interested.

The provisions of the section are taken from the Federal Irrigation Act of 1895, section 2, but vesting in the Province all water rights.

11. In addition to all other powers the Legislative Assembly of the Province shall have the powers conferred on the Legislative Assembly of the North-West Territories by the nineteenth section of chapter twenty-two of the Acts of Parliament of Canada passed in the fifty-fourth and fifty-fifth years of the reign of Her Majesty Queen Victoria.

MEMO.—The object of this section is to continue in the new Province certain powers respecting legislation on the subject of importation, etc., of intoxicating liquors conferred on the Territories by The North-West Territories Act and which would not be comprised in the general powers under The British North America Act 1867.

12. The Judges of the Courts of the Province shall be selected from the bar of the Province or from the bar of some other Province in which the laws relative to property and civil rights and the procedure of the Courts are the same as in the Province of

MEMO.—This section contains exactly the same provision as is contained in section 97 of The British North America Act 1867, as regards the Provinces whose system of law was founded on the English common law.

13. Except as otherwise provided by this Act all laws in force in the North-West Territories on the first day of January, 1903, and all Courts of civil and criminal jurisdiction and all legal commissions, powers and authorities existing therein on the said date shall continue as if this Act had not been passed, subject nevertheless (except with respect to such as are enacted by or exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be repealed, abolished or altered by the Parliament of Canada or by the Legislature of the Province according to the authority of the Parliament or of the Legislature under this Act.

(See memo. following section 14.)

14. All public officers and functionaries, judicial, administrative and ministerial, holding office in the North-West Territories on the first day of January, 1903, shall continue to hold such office in the Province of
with the same duties and powers as before until otherwise ordered by the Governor General of Canada or the Lieutenant Governor of the Province according to the authority of the Governor General or the Lieutenant Governor under this Act.

MEMO.—Sections 13 and 14 contain the necessary provisions for continuing the laws, courts, officers, etc., and are the same as contained in section 129 of the British North America Act 1867, here divided into two sections, the words of section 129 not appearing to be very appropriate as applied to officers.

15. Until altered by the Lieutenant Governor in Council the Seal of the North-West Territories shall be the Great Seal of the Province of

MEMO.—This is a simple provision to prevent the Province being without a seal until one can be provided, and conforms to that of section 136 of The British North America Act 1867.

16. The penitentiary situate in the Province of Manitoba shall until the Parliament of Canada otherwise provides be the penitentiary for the Province of

MEMO.—This section continues the penitentiary arrangements at present in force, as was done in the case of the then Provinces by The British North America Act 1867.

17. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to Her Majesty Queen Victoria, and all rights, privileges and properties conferred on Canada by the said conditions shall in so far as they relate to matters within the legislative authority of the Province belong to and be vested in the Province.

MEMO.—Provision for the rights of the Hudson's Bay Company was thought to be necessary in the case of Mani-

toba (see Manitoba Act, section 34) and is therefore continued in the present Act. The latter provision of the section, though not in The Manitoba Act, seems desirable, particularly in view of the fact that at present the Hudson's Bay Company has denied the right of the Territories to take without compensation lands required for roads through reserves, which right is given to Canada by the conditions of surrender.

18. All lands belonging to the Crown situate in the Province of other than lands reserved by Statute or Order in Council for the use of Indians or for and earned by any person or corporation and lands entered for homestead or pre-emption but not granted and all sums due and payable on the first day of January, 1903, for such lands shall belong to the Province.

(See memo. following section 21.)

19. All mines, minerals, timber and royalties belonging to the Crown situate, being or arising in the Province of and all sums due and payable on the first day of January, 1903, for such mines, minerals, timber or royalties shall belong to the Province.

(See memo. following section 21.)

20. The Province shall receive and retain all the public property of the North-West Territories not otherwise disposed of in this Act.

(See memo. following section 21.)

21. All buildings in the North-West Territories belonging to Canada used or intended for court houses, jails and land titles offices and for residence and offices of the Lieutenant Governor and Government of the North-West Territories together with all appurtenances connected therewith and all moneys the proceeds from the sale or leasing of school lands in the North-West Territories and all moneys forming the assurance fund under the provisions of The Territories Real Property Act and Land Titles Act 1894 shall be the property of the Province of

MEMO.—Sections 18, 19, 20 and 21 deal with the public property within the proposed Province, and provide, as far as the circumstances appear to admit, for an arrangement analogous to that which obtains in the several Provinces originally forming the Confederation. The right and title to the public domain is in the Crown, but in the Colonies directly established by Great Britain the beneficiary interest in the revenues arising from the sale or other disposal of the public domain has been surrendered by the Crown for the benefit of the people residing in such Colonies. The Union Act of 1840 specifically provided that the territorial and other revenues then at the disposal of the Crown should be placed in future at the disposal of the Province of Canada then being formed. Similar dispositions were made, either by Statute or by the exercise of the royal prerogative, in favour of the other colonies in British North America. The British North America Act continued these arrangements for the benefit of the Provinces forming the Confederation, and the sections of the Bill under reference provide for the extension of the principle to the Province of which it purports to provide for the formation.

It may be noted that there has been no legislation or exercise of the royal prerogative transferring, to Canada or otherwise, any right to enjoy the beneficiary interest in the territorial revenues of the North-West Territories. The fifth section of Rupert's Land Act of 1868, like the Order in Council of June 23, 1870, for which it is the authority, goes no further than to provide that upon the admission of Rupert's Land into the Dominion, "it shall be "lawful for the Parliament of Canada.....to make, "ordain and establish within the land and Territory so ad- "mitted.....all such laws, institutions and ordinances, "and to constitute such courts and officers, as may be neces- "sary for the peace, order and good government of Her "Majesty's subjects and others therein." The words of the Order in Council dealing with the admission into the Union of that part of the North-West Territories formerly known as the North-Western Territory are more sparing as to number but appear to convey a somewhat wider extent of power, as they not only provide for the "good government" of the Territory, but also for its "future welfare," at the hands of Canada. With the exception of the grant made to the Hudson's Bay Company by the Imperial Or-

der in Council of June 23, 1870, section 30 of "An Act to "amend and continue the Act thirty-two and thirty-three "Victoria, chapter three, and to establish and provide for "the Government of the Province of Manitoba," confirmed by the British North America Act 1871 appears to be the only authority under which any portion of the rights of the Crown in Rupert's Land or the North-Western Territory has ever been alienated. The Act last referred to is the Act under the authority of which the Parliament of Canada has from time to time made "provision for the administra- "tion, peace, order, and good government" of the North-West Territories, being a "territory not for the time being "included in any Province;" and it is also the Act under which Parliament will provide for the "constitution and "administration of any.....Province" which may be established, "and for the passing of laws for the peace, "order and good government of such Province....."

The difference between legislative jurisdiction and proprietary rights was clearly laid down by Lord Herschell in the judgment of the Judicial Committee of the Privy Council in the Fisheries case, but it may be admitted that the necessities of "administration," and the "duties and obligations of government and legislation as regards these Territories," assumed by Parliament, together with the established Imperial practice in such cases, would probably, though not necessarily, carry with them the privilege of appropriating the territorial and other revenues of the Territories for the purposes of maintaining good government and furthering the ends of legislation. Upon the formation within the Territories of the promised "political in- "stitutions bearing analogy.....to those which exist in "the several provinces of the Dominion," it is submitted that whatever interest Canada may have had or exercised in respect of the territorial revenues will devolve upon the Province. As Great Britain has divested herself, for the benefit of her Colonies, of all her proprietary rights in the public domain within those Colonies, so, it is thought, Canada should do with respect to any claim that may be preferred on behalf of the Dominion to the beneficiary interest in the public domain within that part of the North-West Territories to be included in any Province to be established.

It may be that the Government of Canada will admit the principle contended for above on behalf of the people of the

North-West Territories who may be included within the limits of any Province to be created, but will argue that it will not be in accord with established public policy for the Dominion to divest itself of the ability, largely advertised abroad, to grant lands to actual settlers upon almost nominal conditions. Such appears to have been the view adopted in 1884 by the Government of the day with respect to certain similar representations then made by the Province of Manitoba. The validity of the claim was admitted by the agreement to recompense the Province for the loss of its public property. It is not deemed necessary here, at this stage, to discuss any such proposition further than to point out the one fact that, should the Dominion withhold from the Province, for the benefit of Canada at large, the right to administer the public domain within its boundaries and to enjoy the revenues therefrom, the addition of each new settler, or—what experience has shown to practically almost amount to the same thing—the opening up of each new settlement, will impose a burden and financial strain upon the revenues of the Province altogether out of proportion to any revenue derivable on account of such settler or settlement, and one that can only be met by an early appeal to extensive direct taxation. The last issue of the Statistical Year Book gives the following rates of government expenditure per head in the several provinces—Ontario, $1.74; Quebec, $2.74; Nova Scotia, $2.04; New Brunswick, $2.47; Manitoba, $4.58; British Columbia, $9.88; Prince Edward Island, $2.82. In the year 1900 the expenditure of the Government of the North-West Territories was limited to $477,374.22 for the simple reason that no more money was available for expenditure. The population of the Territories in May, 1901, is reported to have been in the neighbourhood of 160,000. A simple calculation shows the per capita expenditure in 1900 to have been about $3.00. Without extravagance and in order to provide for urgent public necessities, the per capita rate of expenditure in the Territories, had the money been available, would have been between $6.00 and $7.00. This large rate of public expenditure in the Territories as compared with the rates of the eastern provinces, is entirely attributable to the extraordinary increase in population due to the energy displayed by the Immigration Branch of the Interior Department. While such energy is commendable

from the view point of the Dominion interests, yet its results place a great strain upon the finances of the country, and it is, with all respect, urged that the exploitation of the public domain within the Province to be established, in the interest of the Dominion solely and entirely, will place upon the Province a burden too onerous to bear, and one which should properly fall where the benefits go.

22. The following amounts shall be allowed and paid by Canada by half yearly payments in advance as an annual subsidy to the Province, that is to say:

(*a*) For the support of the Government and Legislature, fifty thousand dollars.

(*b*) On an estimated population of two hundred and fifty thousand at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—A census of the Province shall be taken every fifth year reckoning from the general decennial census of one thousand nine hundred and one and an approximate estimate of the population shall be made at equal intervals of time between such quinquennial census and such decennial census; and whenever the population by any such census or estimate exceeds two hundred and fifty thousand which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased in accordance therewith until the population reaches one million three hundred and ninety-six thousand and ninety-one, after which there shall be no further increase.

MEMO.—Section 22 provides for the payment of an annual subsidy to the new Province on the lines of that paid to the Provinces under section 118 of The British North America Act. It may be noted that in the year 1900 the cost of government and the legislature in the North-West Territories amounted to $66,311.37, which amount was further supplemented by expenditures made from the Parliamentary vote for Government of the North-West Territories upon matters which, in the Provinces, usually devolve upon the provincial revenues, and which principle may be expected to be extended to the province to be formed.

The payment of eighty cents per head upon an estimated population in excess of the present actual population follows the precedent established in the case British Columbia at the time of its admission into the Union. Ten years after its admission the population of that province had not reached to within 10,000 of the number upon which the subsidy was based. In the case of the North-West Territories the population is rapidly increasing through immigration. Since the census was taken in May it is estimated that more than 25,000 people have come into the Territories, and it is reasonably expected that by the earliest date the Province can be established the population will reach the initial figure referred to in the Bill, and that long before 1906 the population will be largely in excess of that upon which payment up to that date will be made. It is proposed that the per capita allowance shall be paid on the actual population until such time as that population reaches the number upon which this grant is paid to the Province of Ontario. Owing to the extraordinary rate in the increase of the population in the West at the present time and in future prospect it would be manifestly unfair to limit this grant to a population of 400,000 as has been done in other cases; but as the terms which are sought by the draft Bill are strictly within those granted elsewhere it is submitted that, at least, the maximum grant ever to be paid when the population warrants should be not less than that paid to any other Province in the Dominion. In the meantime, and until the population reaches 400,000, the grant paid will be upon the same basis as that paid in all the Provinces except Ontario and Quebec.

23. The Province shall be entitled to be paid and to receive from the Government of Canada by half yearly payments in advance interest at the rate of five per cent. per annum on the excess over the sum of of a sum to be ascertained by multiplying the population of the Province by 32.46 and for the purpose of this section the population of the Province shall until after the next decennial census be deemed to be two hundred and fifty thousand: Provided that immediately after the census of there shall be a readjustment under this section on the basis of the population as ascertained by such census.

MEMO.—This clause provides for the establishment of a capital account between the Province and the Dominion upon similar terms to those which have been given to the Province of Manitoba, with the exception that the arrangement proposed is not final, the Bill providing for a readjustment on the basis of the population of a future date, when it may be expected that the ratio of increase will approximate more closely to those in the other provinces than is the case at present.

24. The Province shall be entitled to receive by half yearly payments in advance from the Government of Canada interest at five per cent. per annum on the sum of one dollar per acre for each acre of land in the Province granted by the Dominion otherwise than for homesteads or pre-emptions under the provisions of The Dominion Lands Act or in settlement of half-breed claims.

MEMO.—Section 24 would probably be more properly referred to in connection with sections 18, 19, 20 and 21 of the draft Bill as it deals with the public domain in so far as grants of lands in the North-West Territories made for Federal purposes are concerned, and seeks to place the indebtedness of Canada, to meet which these lands were given, where it properly belongs, namely, the Dominion at large, and not upon the property of the Province. These grants have, in the main, been made in the aid of railway construction in the West. Of such grants the following have been made, from Manitoba and North-West lands, to the companies named:—

	Acres.
Alberta Railway and Coal Company	1,114,368
Calgary and Edmonton	2,176,000
Canadian Northern	9,907,200
Canadian Pacific	19,816,010
Great North-West Central	320,000
Manitoba and North-Western	2,752,000
Manitoba and South-Western	1,396,800
Qu'Appelle, Long Lake & Saskatchewan	1,625,344
Red River Valley	352,000

Of these roads only four are entirely within the Territories, those, namely, of the Alberta Railway and Coal Company,

the Calgary and Edmonton Railway Company, the Qu'Appelle, Long Lake and Saskatchewan Company, and the Red Deer Valley Company, and the lands granted lie within the area of the proposed Province. The other roads named lie either entirely in Manitoba or partly within both Manitoba and the Territories. With respect to three of these roads, namely, the Great North-West Central, the Manitoba and North-Western and the Manitoba and South-Western, the following is noted. The whole of the line constructed by the Great North-West Central is entirely within Manitoba. An area of 708,827 acres has been reserved for this grant, of which about 703,000 acres are in the Territories, and from which the bulk of the 320,000 acres earned under the grant will have to be selected, there being only some 5,800 acres of the reserve in Manitoba. An area of Territorial lands, equal to the whole grant to the Manitoba and North-Western Company, has been reserved for the purpose of that grant, though less than one-fifth of the road constructed lies in the Territories. The line of the Manitoba and South-Western Colonisation Company is entirely within Manitoba, but an area in the Territories of about 681,000 acres has been reserved for the grant on account of this road. Of the grants to the Canadian Pacific Railway Company the balance of that on account of the construction of the main line (18,206,986 acres) is the most important. As it will be shown, only some 2,500,000 acres have been selected outside the Territories, the balance being within the Territories. The Canadian Pacific Railway Company has been granted lands in aid of its Deloraine and Napinka, Glenboro and Souris, Kemnay and Estevan, and Pipestone branches amounting in all to 1,609,024 acres. A reserve approximating 1,900,000, acres in the Battleford district of the North-West Territories of Canada, several hundred miles from the location of these branch railways, has been made for the purposes of these grants, though only about one-half of the Kemnay and Estevan branch is within the Territories, the Pipestone branch has just entered the Territories, the balance of these two roads together with the whole of the other two named being entirely without the Territories in the Province of Manitoba.

The case of the Canadian Northern Railway Company may be mentioned also, as it is extremely probable that a

very considerable part of the grants to that company, which aggregate nearly 10,000,000 acres will, when located, be taken from Territorial lands, though those portions of the company's system for which the grants have been made lies entirely outside of the Territories.

These railways have been aided by the Dominion on the ground that their construction was a benefit to Canada, and the policy followed in Manitoba and the North-West Territories is in remarkable contrast to that adopted by the Dominion in all other parts of Canada. Published Government statistics show that the Dominion Government has granted aid to railways constructed and under construction, up to June 30, 1900, by way of loans and bonuses a sum of $166,009,303. The people of the Territories, man for man, bear an equal proportion of the cost to the Dominion of such expenditures. There are some ninety railway enterprises, each wholly within its own Province, which have been granted cash subsidies at the charge (it is again repeated) of the people of the Territories equally with those of other parts of Canada, but in the Territories, railways constructed as much in the interests of Canada as any one of the ninety referred to above, are subsidised entirely at the cost of the public domain within the Province, notwithstanding the fact that some of the roads so subsidised will not benefit the Province in any form or shape. The principle being once conceded, it must be admitted that if one is, all railways constructed are for the benefit of Canada, whether it be the Canadian Pacific system with its six thousand and odd miles of track or the Phillipsburg Junction road, two-thirds of a mile in length. Canada should therefore bear the cost of the grants made by the Dominion and the Bill seeks to provide an equitable arrangement for transferring the burden of these and other similar grants from the Territories to the Dominion, so that the people of the Province will not be dealt with in these respects otherwise than are the people of the Provinces of Ontario, Quebec, New Brunswick, Nova Scotia, Prince Edward Island and British Columbia.

In addition to the matters dealt with in the foregoing draft Bill, I have also to direct your attention to, and to press for the removal by ancillary legislation of, the exemption from taxation granted to the Canadian Pacific Railway Company under

clause 16 of the schedule to Chapter 1 of the Dominion Statutes of 1881. The exemption as is well known is two-fold. First, that in the words—"The Canadian Pacific railway, and all "stations and station grounds, workshops, buildings, yards and "other property, rolling stock and appurtenances required and "used for the construction and working thereof and the capital "stock of the company, shall be forever free from taxation by "the Dominion, or by any Province to be hereafter established, "or by any municipal corporation therein;" and, Second, in that part of the clause which reads—"and the lands of the "company in the North-West Territories, until they are either "sold or occupied, shall also be free from such taxation for "twenty years after the grant thereof from the Crown. The effect of these exemptions is to prohibit any Province which may be established—or any municipal corporation therein—from requiring the Canadian Pacific Railway Company to assist in the "administration" of the country or the maintenance of "peace, order and good government" within its bounds with respect to a part of its property forever and with respect to another part for a limited period of time. This exemption falls hardly upon the people of the North-West Territories in a number of ways. The nature of the land grant to the company, in that it is spread over the whole country in small blocks of one square alternating with those open for homesteads, causes every dollar spent by a settler in the improvement of his homestead, where it lies within the districts reserved for the selection of the land granted on account of the construction of the Canadian Pacific Railway, to enhance the value of the lands held for the company in its neighbourhood. All public expenditures made in such districts for roads, bridges and other works of a similar description improve the value of the lands still held by the company under its main line grant, the company contributing nothing on account of such lands towards the cost of the works by reason of which they are benefited.

An examination of the terms of the grant to the Canadian Pacific Railway Company shows that the exemption will bear with particular stress upon any Province established within the area referred to in the draft Bill. The paragraph lettered (*a*) of clause 9 in the schedule to the 1881 Canadian Pacific Railway Act (chapter 1 of the Statutes of that year) reads—

(*a*) The said subsidy in money is hereby divided and appropriated as follows, namely—

CENTRAL SECTION.

Assumed at 1,350 miles—
1st — 900 miles at $10,000 per mile.. $9,000,000
2nd—450 " 13,333 " .. 6,000,000
$15,000,000

EASTERN SECTION.

Assumed at 650 miles, subsidy equal
to $15,384.61 per mile.. .. .. $25,000,000

$25,000,000

And the said subsidy in land is hereby divided and appropriated as follows, subject to the reserve hereinafter provided for—

CENTRAL SECTION.

1st — 900 miles at 12,500 acres per
mile.. .. .. $11,250,000
2nd—450 miles at 16,666·66 acres per
mile.. 7,500,000
$18,750,000

EASTERN SECTION.

Assumed at 650 miles, subsidy equal
to 9,615 acres per mile.. .. .. $6,250,000

25,000,000

The original land grant of 25,000,000 acres has been reduced by 6,793,041 acres at a cost to Canada of $10,189,521, thus leaving the company to receive 18,206,986 acres. In other words, the amount of that apportionment of the land grant on account of the construction of the "Eastern Section"—or that part of the railway between Callander and a point east of Red River to which the road had been constructed from Selkirk by the Government, all of which lies in the Province of Ontario—has been exchanged for cash, at the cost of the people of the Territories equally with those of every other part of Canada. Of the balance of the land grant, the company has selected some 2,500,000 acres within the Province of Manitoba, leaving the balance to be selected from the lands within the North-West Territories out of the extensive areas

reserved for that purpose. This particular grant is that made on account of the construction of the "Central Section" of the railway, namely, that from Selkirk to Kamloops, which has been definitely ascertained to be a distance of 1,250 miles. This distance is divisible as follows—Manitoba, 220 miles; North-West Territories, 760 miles; British Columbia, 270 miles. It is therefore apparent that a proportionate area, based upon the mileage through the Province at the rate granted per mile through the prairie portion of the Central Section (220 miles at 12,500 acres per mile, being 2,750,000 acres) has not been taken from Manitoba lands, and that in addition to this shortage of 250,000 acres the whole of the grant earned by construction through British Columbia (at the mountain rate of 16,666·66 acres per mile) is being made out of the lands of the Territories. Even if, under any process of reasoning, the exemption clause can be justified as regards the construction of the railway through the Territories, it is not thought that the Territories can in equity be required to bear this extra burden on account of the construction of the railway through the Provinces of Manitoba and British Columbia. If they are so required, the people of the Territories, who are individually contributing equally to the cost to Canada of the interest upon the debt created by the payment of the original bonus of $25,000,000, the payment of $10,189,321 for the repurchase of the land grant on account of the Eastern, or Ontario, section of the railway, together with the annual payment of $100,000 to British Columbia for the lands conveyed to Canada under the terms of the Imperial Order in Council of May 16, 1871, "to aid in the construction of the railway," will be also liable to bear whatever the exemption from taxation under the Canadian Pacific Railway Act of 1881 may mean. By the terms of that Act the Province to be established—or any municipal corporation therein—will be prohibited from taxing the company or its property in any manner or for any reason. Unless invidious comparisons are made between the Canadian Pacific and other railway companies this will mean the involuntary relinquishment of recourse to that avenue of revenue as no competing company will be liable to expend the necessarily vast sums of money required unless it has prospects of obtaining similar exemption from taxation at the hands of the Province.

The necessity for this extraordinary burden upon the people of the West is not obvious. Ample evidence exists to

show that the railway was not in any sense built for the benefit of the North-West. In 1865, the Honourable George Brown voiced the opinion of the Government of the day when he stated in his place in the Parliament of Canada during the Confederation debates that "the Confederation is, therefore, "clearly committed to the carrying out of both these enterprises," his reference being to the construction of the Intercolonial railway and the opening up of the communications with the North-Western Territory. "I doubt," he proceeded to say, "if there was a member of the Conference who did not "consider that the opening up of the North-West and the "improvement of our canal system were not as clearly for the "advantage of the Lower Provinces as for the interests of "Upper Canada. Indeed, one gentleman held that the Lower "Provinces were more interested—they wished to get their "products into the West—they wanted a back country as "much as we did—they wanted to be the carriers for that great "country—and they were, therefore, to say the least, as much "interested in these questions as we were." But there is no need to go back beyond the solemn compact entered into between Canada and the Colony of British Columbia in 1871. The Imperial Order in Council of May 16, 1871, respecting the province of British Columbia, sets forth as one of the terms and conditions upon which that Colony consented to enter the Confederation, the undertaking of the Government of Canada "to secure the commencement, simultaneously within two "years from the date of the Union, of the construc-"tion of a railway, from the Pacific toward the Rocky Moun-"tains, and from such point as may be selected east of the "Rocky Mountains toward the Pacific, to connect the seaboard "of British Columbia with the railway system of Canada; "and further to secure the completion of such railway within "ten years from the date of the Union." The preamble to chapters 71 and 72 of the Dominion Statutes of 1872 and chapter 1 of the Statutes of 1881 all set forth the fact in various ways that (to quote from the last mentioned Act) "by "the terms and conditions of the admission of British Colum-"bia into Union with the Dominion of Canada, the Govern-"ment of the Dominion has assumed the obligation of causing "a railway to be constructed connecting the seaboard of British "Columbia with the railway system of Canada."

All this being so, it is difficult for the people of the North-West Territories to understand why they should be called upon

to assume any other burden than that of contributing proportionately—and no more—with the people of other parts of Canada towards the cost of carrying out the obligations assumed by Canada under the compact with British Columbia. The exemption from taxation granted by The Canadian Pacific Railway Act is undoubtedly such an added burden, and an imposition upon the people of the North-West Territories that cannot be justified. For no reason that is conceivable, this exemption bears with greater stress upon the Territories than it does even upon Manitoba. Except those lands selected by the company under its land grant which lie in that part of Manitoba added to the original Province after the contract of 1881, none of the property of the company is exempt from taxation in Manitoba. That Province today is taxing the company under Chapter 57 of the Provincial Acts of 1890.

In view of the foregoing it is submitted that Parliament should be asked to take such steps as may appear advisable in order to countervail the operation of the exemption clause of the Canadian Pacific Railway contract within the limits of the Province to be created.

In conclusion, I would venture to express the hope that His Excellency's advisers will, at an early date, arrive at a favourable conclusion to their consideration of the subject matters herein set forth.

I have the honour to be,
Sir,
Your Obedient Servant,

F. W. G. HAULTAIN.

14. Draft Bill for erecting the North-West Territories into a Province, 1902.

No.] BILL. [1902.

An Act to Establish and Provide for the Government of the Province of

His Majesty by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. On, from and after the first day of January, 1903, that portion of the territory known as Rupert's Land and the North-Western Territory admitted into the Union or Dominion of

Canada by Her Majesty Queen Victoria by and with the advice and consent of Her Majesty's Most Honourable Privy Council by Order bearing date the twenty-third day of June, 1870, under the authority of the 146th section of The British North America Act 1867, described as the Provisional Districts of Assiniboia, Saskatchewan and Alberta as the said Districts are defined by Orders of His Excellency the Governor General of the Dominion of Canada made in Council on the eighth day of May, 1882, and the second day of October, 1895, respectively; and that portion of the Provisional District of Athabasca, as the said District is defined by Order of His Excellency the Governor General of the Dominion of Canada made in Council on the eighth day of May, 1882, and the second day of October, 1895, respectively, lying to the south of the fifty-seventh parallel of north latitude, shall be formed into and be a Province which shall be one of the Provinces of the Dominion of Canada and which shall be called the Province of

2. On, from and after the first day of January, 1903, the provisions of The British North America Act 1867, except those parts thereof which are in terms made or by reasonable intendment may be held to be specially applicable to or affect only one or more but not the whole of the Provinces under that Act composing the Dominion, and except so far as the same may be varied by this Act, shall be applicable to the Province of in the same way and to the same extent as they apply to the several Provinces of Canada and as if the Province of had been one of the Provinces originally united by the said Act.

3. The said Province shall be represented in the Senate of Canada by four members until it shall have according to decennial census a population of two hundred and fifty thousand souls and from thenceforth it shall be represented therein by five members and thereafter for each additional increase in population of fifty thousand souls according to decennial census there shall be an increase of one member in its representation until it is represented by twenty members.

4. The said Province shall be represented in the first instance in the House of Commons of Canada by ten members and for that purpose shall be divided by Act of Parliament or by Proclamation of the Governor General into ten electoral districts each of which shall be represented by one member: Provided that on the completion of each decennial census hereafter the representation of the said Province shall be readjusted

according to the provisions of The British North America Act of 1867.

5. The Executive Council of the Province shall be composed of such persons and under such designations as the Lieutenant Governor shall from time to time think fit.

6. All powers, authorities and functions which under any law or custom which were before the coming into force of this Act vested in or exercisable by the Lieutenant Governor of the North-West Territories with the advice or with the advice and consent of the Executive Council thereof or in conjunction with that Council or with any member or members thereof or by the said Lieutenant Governor individually, shall as far as the same are capable of being exercised after the coming into force of this Act be vested in and shall or may be exercised by the Lieutenant Governor of the Province of with the advice or with the advice and consent of or in conjunction with the Executive Council or any member or members thereof or by the Lieutenant Governor individually as the case requires, subject, nevertheless to be abolished or altered by the Legislature of the Province.

7. Unless and until the Executive Government of the Province otherwise directs the seat of Government of the same shall be at

8. There shall be a Legislature for the Province consisting of the Lieutenant Governor and of one House styled the Legislative Assembly of

9. The constitution of the Legislature of the North-West Territories as it exists on the first day of January, 1903, shall subject to the provisions of this Act continue to be the constitution of the Legislature of the Province of until altered under the authority of this Act; and the Legislative Assembly of the said Territories existing on the said first day of January, 1903, shall unless sooner dissolved continue as the Legislative Assembly of the Province of until the completion of the period for which it was elected.

10. In and for the Province the said Legislature may exclusively make laws in relation to irrigation and subject to any rights acquired under any Act of the Parliament of Canada before the first day of January, 1903, the property in and the right to the use of all the water at any time in any river, stream, watercourse, lake, creek, ravine, canyon, lagoon, swamp, marsh or other body of water shall on, from and after the said date belong to and be vested in the Province unless

and until and except only so far as some right of some person therein or to the use thereof inconsistent with the right of the Crown and which is not a public right or a right common to the public is established.

11. In addition to all other powers the Legislative Assembly of the Province shall have the powers conferred on the Legislative Assembly of the North-West Territories by the nineteenth section of chapter twenty-two of the Acts of the Parliament of Canada passed in the fifty-fourth and fifty-fifth years of the reign of Her Majesty Queen Victoria.

12. The Judges of the Courts of the Province shall be selected from the bar of the Province or from the bar of some other Province in which the laws relative to property and civil rights and the procedure of the Courts are the same as in the Province of

13. Except as otherwise provided by this Act all laws in force in the North-West Territories on the first day of January, 1903, and all courts of civil and criminal jurisdiction and all legal commissions, powers and authorities existing therein on the said date shall continue as if this Act had not been passed, subject nevertheless (except with respect to such as are enacted by or exist under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the Province according to the authority of the Parliament or of the Legislature under this Act.

14. All public officers and functionaries, judicial, administrative and ministerial, holding office in the North-West Territories on the first day of January, 1903, shall continue to hold such office in the Province of with the same duties and powers as before until otherwise ordered by the Governor General of Canada or the Lieutenant Governor of the Province according to the authority of the Governor General or the Lieutenant Governor under this Act.

15. Until altered by the Lieutenant Governor in Council the Seal of the North-West Territories shall be the Great Seal of the Province of

16. The penitentiary situate in the Province of Manitoba shall until the Parliament of Canada otherwise provides be the penitentiary for the Province of

17. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as con-

tained in the conditions under which that company surrendered Rupert's Land to Her Majesty Queen Victoria, and all rights, privileges and properties conferred on Canada by the said conditions shall in so far as they relate to matters within the legislative authority of the Province belong to and be vested in the Province.

18. All lands belonging to the Crown situate in the Province of other than lands reserved by Statute or Order in Council for the use of Indians or for and earned by any person or corporation and lands entered for homestead or pre-emption but not granted and all sums due and payable on the first day of January, 1903, for such lands shall belong to the Province.

19. All mines, minerals, timber and royalties belonging to the Crown situate, being or arising in the Province of and all sums due and payable on the first day of January, 1903, for such mines, minerals, timber or royalties shall belong to the Province.

20. The Province shall receive and retain all the public property of the North-West Territories not otherwise disposed of in this Act.

21. All buildings in the North-West Territories belonging to Canada used or intended for court houses, jails and land-titles offices and for residence and offices of the Lieutenant Governor and Government of the North-West Territories together with all appurtenances connected therewith and all moneys the proceeds from the sale or leasing of school lands in the North-West Territories and all moneys forming the assurance fund under the provisions of the Territorial Real Property Act and the Land Titles Act 1894 shall be the property of the Province of

22. The following amounts shall be allowed and paid by Canada by half yearly payments in advance as an annual subsidy to the Province, that is to say:

(*a*) For the support of the Government and Legislature, fifty thousand dollars.

(*b*) On an estimated population of two hundred and fifty thousand at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—A census of the Province shall be taken in every fifth year reckoning from the general decennial census of one thousand nine hundred

and one and an approximate estimate of the population shall be made at equal intervals of time between such quinquennial census and such decennial census; and whenever the population by any such census or estimate exceeds two hundred and fifty thousand which shall be the minimum on which the said allowance shall be calculated the amount of the said allowance shall be increased in accordance therewith until the population reaches one million three hundred and ninety-six thousand and ninety-one, after which there shall be no further increase.

23. The Province shall be entitled to be paid and to receive from the Government of Canada by half yearly payments in advance interest at the rate of five per cent. per annum on the excess over the sum of of a sum to be ascertained by multiplying the population of the Province by 32.46 and for the purpose of this section the population of the Province shall until after the next decennial census be deemed to be two hundred and fifty thousand: Provided that immediately after the census of there shall be a readjustment under this section on the basis of the population as ascertained by such census.

24. The Province shall be entitled to receive by half yearly payments in advance from the Government of Canada interest at five per cent. per annum on the sum of one dollar per acre for each acre of land in the Province granted by the Dominion otherwise than for homesteads or pre-emptions under the provisions of the Dominion Lands Act or in settlement of half-breed claims.

15 Letter from Hon A. L. Sifton to Sir Wilfrid Laurier, Jan. 11, 1902.

REGINA, January 11, 1902.

The Right Hon. SIR WILFRID LAURIER, K.C.M.G.,
President of the Council,
Ottawa.

My Dear SIR WILFRID,—I am forwarding you by this mail fifteen printed copies of Mr. Haultain's letter sent you in

December, as being more convenient for the use of the different Members of the Cabinet, in considering the question.

Wishing you the compliments of the season,
I am, yours truly,

ARTHUR L. SIFTON.

16. Letter from Rodolphe Boudreau to Hon. A. L. Sifton, Jan. 22, 1902.

ARTHUR L. SIFTON, Esqre., OTTAWA, January 22, 1902.
Office of the Executive Council,
Regina, Assa.

DEAR SIR,—I have the honour, by direction of the Prime Minister, to acknowledge the receipt of your favour of January 11th, and of the copies of Mr Haultain's letter, and to state that due consideration will be given thereto.

I have the honour to be,
Yours very sincerely,

RODOLPHE BOUDREAU.
Private Secretary.

17. Telegram from Premier Haultain to Sir Wilfrid Laurier, Mar. 15, 1902.

Right Hon. SIR WILFRID LAURIER, REGINA, March 15, 1902.
Ottawa.

Legislature opens Thursday. Important that we should know nature of reply to letter of December 7 for reference in speech. Will you kindly have summary wired if possible.

F. W. G. HAULTAIN.

18. Telegram from Sir Wilfrid Laurier to Premier Haultain, Mar. 18, 1902.

Hon. F. W. G. HAULTAIN, OTTAWA, March 18, 1902.
Regina.

No answer can be sent until return of Minister of Interior, who is absent through illness.

WILFRID LAURIER.

19. Letter from the Minister of the Interior to Premier Haultain, March 27, 1902.

Hon. F. W. G. HAULTAIN, Regina, Assa. OTTAWA, March 27, 1902.

Dear Mr. HAULTAIN,—Absence from Ottawa due to ill health has prevented me from communicating with you on the subjects discussed by you and your colleague when here rejecting the financial and constitutional status of the North-West Territories. I persume, however, that you would have gathered our views from the expressions of opinion which took place during our interviews, and our conclusions will not, therefore, I trust come in the way of a surprise.

It is the view of the Government that it will not be wise at the present time to pass legislation forming the North-West Territories into a Province or Provinces. Some of the reasons leading to this view may be found in the fact that the population of the Territories is yet sparse; that the rapid increase in population now taking place will in a short time alter the conditions to be dealt with very materially; and that there is a considerable divergence of opinion respecting the question whether there should be one province only or more than one province. Holding this view, therefore, it will not be necessary for me to discuss the details of the draft bill which you presented as embodying your views.

Respecting the present financial requirements, the question of an increase in your subsidy is now receiving consideration, but the result cannot, as you are aware, be communicated until the estimates are brought before Parliament. This I have every reason to hope will take place in a very short time.

Believe me, dear Mr. Haultain,
Yours very truly,
CLIFFORD SIFTON.

20. Letter from Premier Haultain to the Minister of the Interior, April 2, 1902.

Hon. CLIFFORD SIFTON, Minister of the Interior, Ottawa, Ont. REGINA, April 2, 1902.

Dear Mr. SIFTON,—I beg to acknowledge the receipt of your letter of the 27th of March, conveying the decision of the

Government with regard to the financial and constitutional questions which have been the subject of discussion during the past year and a half. So far from your conclusions not coming as a surprise as you suggest, I must say quite frankly that the decision of the Government has come not only as a surprise, but as a deep disappointment as well. In your letter of the 21st of March, 1901, you say:

"I may say that I realize very fully the difficulties of the "position in which the Government and the Legislative Assem- "bly of the North-West Territories is placed, and I admit that "there is very much in the suggestions which are made in your "letter and in the memorial regarding the necessity of a change "in the constitutional and financial position of the Territories.

"Without at the present moment committing myself to any "positive statement I am prepared to say that the time has ar- "rived when the question of organising the Territories on the "Provincial basis ought to be the subject of full consideration. "It would appear to me that the better way of bringing the mat- "ter to a more definite position would be to arrange for a con- "ference upon the subject between the representatives of your "Government and a Committee of Council representing the "Federal Government."

Again on the fifth of April, 1901, you write:—

"The latter portion of the Session of Parliament here finds "all the Members of the Government extremely busy, and it "would be hopeless to expect from them that mature and careful "consideration of the various and important subjects which "will require to be debated and settled in connection with the "establishment of the Territories as a Province or upon a Pro- "vincial basis. I think I shall therefore be compelled to ask "you to defer the discussion until after Parliament has prorо- "gued."

These opinions and the long delay that followed, in order to choose a convenient time for that "mature and careful consideration of the various and important subjects which will require to be debated and settled in connection with the establishment of the Territories as a Province or upon a Provincial basis," led us to suppose that when the subject was finally taken up it would be taken up with a view to immediate settlement. The written statements, which have been made by

me, must have proved conclusively that the necessity for the change was a pressing one and that we had arrived at a point when our constitutional and financial position was not adequate to the proper performance of the duties devolving upon us. Recognising this state of affairs we have gone to the Dominion Government and have said: "If you cannot or will not deal with the questions which have arisen in the Territories give us the powers and the income which would justly accompany those powers and allow us to work out our own salvation." To this you answer: "That it is the view of the Government "that it will not be wise at the present time to pass legislation "forming the North-West Territories into a Province or Pro-"vinces." One of the reason given for this position is: "That the population of the Territories is sparse." I might point out that we have at least ten times the population of Manitoba when it was erected into a Province, and a larger population than that Province had so lately as 1891; a considerably larger population than the Province of Prince Edward Island, and with the immigration of the present season a considerably larger population than the Province of British Columbia according to the late census. Another reason advanced is: " That the rapid "increase in population now taking place will in a short time "alter the conditions to be dealt with very materially." This rapid increase in population is one of the principal reasons why we are asking to be formed into a Province, in order that we may be able to deal with the new conditions that it brings about. The longer it goes on without the change the more aggravated the present difficulties will become.

With regard to the divergence of opinion as to one or more Pronvinces, I might say that that is a difficulty which will always exist, and which any postponement of action will not remove.

I must also say on behalf of the North-West Government that after having been asked to meet a subcommittee of the Privy Council and to state our case not only verbally but in writing, it is extremely unsatisfactory that the Government has come to the conclusion: "That it will not be necessary to discuss the details of the draft bill which embodied our views." This is a conclusion to the negotiations which have been held which we could hardly have expected considering the importance of the subject discussed and the formal manner in which the discussion has taken place.

We cannot but regret that the Government has not been able to recognise the urgent necessity for the change that has been asked and can only trust that as you have denied us the opportunity of helping ourselves you will be at least impressed with the necessity and the duty, which is now yours, of meeting the pressing necessities of these rapidly developing Territories. While we may, in your opinion, without inconvenience mark time constitutionally, we cannot do without the transportation facilities, the roads, the bridges, the schools and the other improvements which our rapidly growing population imperatively requires, and at once. Whether we are made into a Province or not, our financial necessities are just as real, and in conclusion I can only trust that when the question of an increase to our subsidy is receiving consideration, more weight will be given to our representations in that respect than has been given to our requests for constitutional changes.

I am, yours faithfully,

F. W. G. HAULTAIN.

21. Letter from Premier Haultain to the Minister of the Interior, Jan. 31, 1903.

EXECUTIVE COUNCIL,
REGINA, January 31, 1903.

Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa, Ont.

Dear Mr. SIFTON,—At various times during the past year whilst I was in England one or other of my colleagues in the Territorial Government discussed Territorial questions with you and on my return I met you in Ottawa with Mr. A. L. Sifton for the same purpose. More recently I had an opportunity of discussing these questions at some length with you in Regina, and I have also read a report of a speech made by you here in which you gave expression to your views upon the same subjects. As Parliament will be meeting at an early date, I think it will bring these matters to a definite issue.

I agree to the fullest extent with all that has been—or can be—said respecting the advantage to the Territories to be gained by the introduction into the Dominion Government of a

gentleman so well versed in all our affairs as is my friend Mr. Ross, to whom it is generally understood, your references in that connection are made, as your united influence should have a marked and beneficial effect upon the destinies of this part of Canada. I must, however, say that I have heard and read with great concern your opinion to the effect that it is desirable to postpone action upon the Memorial of the Legislative Assembly of May 2, 1900, and the claims of the Territories founded thereon. The necessities are so urgent and the movement in favour of Provincial Institutions is so unanimous, that I should like, if possible, to convey to your mind an adequate appreciation of the significance of the movement and of the unfortunate effect which its neglect or repression will have upon the North-West. You are reported in The Regina Leader of the twenty-second instant, as having stated in a meeting of your friends here that:—

> . . . . . a very cursory and elementary discussion and consideration of the subject would show that there were a great many difficulties, a great many important questions, to be dealt with when the subject is before the Federal Parliament. . . . It was not a very vital point whether the Territories were formed into a Province this year or next year; but it was vital as to what the terms were on which the constitution was framed.

Further on in the report it is stated that you said that you—

> . . . . . had impressed upon Mr. Haultain that what was of importance was that when the terms were settled they should commend themselves to the great majority of the people, and that the terms should be loyally supported, and not lead to agitation year after year for other terms.

Whilst what you say respecting terms is very true, I cannot agree with what you are reported as having said respecting the time at which provincial institutions should be introduced into this section of the Dominion. Time—an early time, the earliest time— is of the essence of this contract, and it is our opinion that the best time is the present. Without entering into any further argument on that point here, I must say that it does not seem to me that sufficient justification for postponing the consideration and settlement of the questions involved in the Provincial question—which would appear to be the present general attitude of the Federal Government—has been established. I have before me your letter of March 27, 1902, in which it is stated that—

> **It is the view of the (Dominion) Government that it will not be wise at the present time to pass legislation forming the North-West Territories into a Province or Provinces.**

Your letter goes on to say:

> Some of the reasons leading to this view may be found in the fact that the population of the Territories is yet sparse; that the rapid increase in population now taking place will in a short time alter the conditions to be dealt with very materially; and that there is a considerable divergence of opinion respecting the question whether there should be one Province only or more than one Province.

Upon these grounds you stated last year, as the opinion of the Dominion Government, that you did not deem it necessary to discuss the details of the draft bill presented by me as embodying the views of the Government of the Territories upon this subject. I presume that it is not necessary for me to elaborate an argument to you in support of our main theme that the time is ripe for a change in the constitutional position of the Territories. Just one year before writing the letter quoted above, and nearly two years before the present time of writing, you informed me, in a letter dated at Ottawa on March 21, 1901, that you realised—

> . . . . . very fully the difficulties of the position in which the Government and Legislative Assembly of the North-West Territories is placed.

and you admitted then—

> . . . . . that there is very much in the suggestions which are made in your letter and in the Memorial regarding the necessity for a change in the constitutional and financial position of the Territories.

In the same letter—written two years ago—you informed me that, without committing yourself to any positive statement, you were—

> . . . . prepared to say that the time has arrived when the question of organizing the Territories on the Provincial basis ought to be the subject of full consideration.

It is true that you arranged and brought about a conference between a Committee of the Privy Council and members of the Territorial Government, but no one can be more familiar than yourself with the reasons which led the Dominion Government to adopt the position set forth in your letter of March 27 last. What those reasons were in full does not yet openly appear, and I feel it incumbent upon me to say that, in view of all the conversations and correspondence had upon this subject, in view of the official negotiations held, upon request, as a result of those conversations and that correspondence, and also in view of the circumstances surrounding the whole of the questions involved, I have been forced to the conclusion that those reasons which the Dominion Government has not yet seen fit

to place before the Territorial Government and Legislature must have been more cogent than those set forth in your letter of last March. For take those reasons seriatim. First, "the fact that the population of the Territories is yet sparse." It is to that fact that we owe in large measure our present financial disabilities. It is to the second reason given, namely, "the rapid increase in population," and the consequent and continuous material alteration in our conditions, that our administrative difficulties are due, while that same rapid increase has a very direct influence upon our financial needs, not the least of which is the necessity for some other provision for expenditure upon matters properly chargeable to "capital" account than by taking the money required from current revenue.

There is nothing new in these statements. They have, supported by details more or less full, been laid before you each successive year since your accession to office, as reasons for asking the Federal Government to take such measures as are calculated to afford relief from the intolerable position in which we are placed, and it comes as a surprise to us to find the reasons we have advanced to you for so many years in succession to support our claim to fair and just treatment put forward as "some of the reasons" for the refusal of the Dominion Government to even take our claims into consideration.

The last reason advanced in your letter for the Government's inaction, that, namely, "there is a considerable divergence of opinion respecting the question whether there should be one Province only or more than one Province," has been very definitely answered by the people of the Territories. With my proposition to the Government having been disseminated in every way possible through the length and breadth of the country beforehand, the people of the Territories elected representatives to a new Legislature on May 21 last. In my address to my own constituents, which was reproduced, I believe, in every newspaper published in the West, I said—

> At the present time the Government of the Territories is engaged in negotiations with the Dominion Government leading to the establishment of a part of the Territories upon the provincial basis. Apart from all other considerations, financial necessity has forced this question to the front. A rapidly increasing population has caused the present revenues of the Territories to become totally inadequate to meet the public demands and in the opinion of the Government the only solution of the difficulties now being met with is to be found in the larger powers and income which go with the Provincial status upon proper terms. Larger powers, it is true, mean larger responsibilities, but these same larger powers will carry with them the ability to discharge any duty that can be placed upon the people of the West.

The Government has presented to the Federal authorities the claims of the people of the Territories in a document which has been published and is being widely distributed. In that document the Territorial Government has expressed its opinion in favour of the organization of one Province only. Action upon the whole question has been postponed by the Dominion Government, principally upon the ground that there is a "divergence of opinion respecting the question whether there should be one Province only or more than one Province"—a question which in the last resort is one for the Dominion Government to settle. The opinion of the Territorial Government is based upon the fact that in the past one Government and one Legislature have found no difficulty in conducting the affairs of the country other than such as arose from the inadequacy of the revenue, and it is not anticipated that any difficulty which cannot be met will arise in the future. There is a widespread and well founded opinion existing throughout Canada against what has been called "over-Government," or "multiplicity of Governments," and there appears to be no substantial reason for the formation of more than one Province in the Territories at the present time. Much less is there any reason for considering that other proposition which has been made on the part of the Province of Manitoba, namely, the division of the people of the Territories by including within the limits of that Province a considerable portion of the present district of Assiniboia, for the whole sentiment of the people concerned is against that proposal. Upon this phase of the question, at least, there is no divergence of opinion. Even should there be any material divergence of opinion in the Territories on the one or more Province question—and there undoubtedly is some—the result of the election can only demonstrate and accentuate the fact. The Territorial Government, however, has indicated to the Federal Government what it believes to be the opinion held by a very large majority of the people of the Territories as promising to be in the best interests of the country as a whole. Whilst this is so, it is at the same time to be clearly understood that though the Government's opinion has been formed after careful consideration of all the facts before it, such is its strong conviction that Provincial establishment upon the general terms proposed is imperatively required, and at the earliest possible date, that it does not consider the question of one or more Provinces to be of paramount importance in view of the magnitude of the other questions involved. These questions deal with the things which the Government on behalf of the people of the Territories has claimed must of right belong to any Province established in the West, and which were practically unanimously approved by the Legislature at its last session. They are briefly—

(1) Equal rights with all the other Provinces of the Dominion and the same financial consideration that has been given to those Provinces;

(2) Control of the public domain in the West, by the West and for the West;

(3) Compensation for the alienation of any part of the public domain for purely federal purposes; and

(4) The removal of the unjust and onerous Canadian Pacific Railway exemption from taxation.

These are the matters that the Government of the Territories is now fighting for, and these are the matters upon which your judgment is invited in my appeal to you for re-election as your representative in the Legislature. A similar appeal is being made in every constituency in the country by every candidate whose election will give support to the Government at this critical period in the history of the Territories. The issue is plain, and it is for the people of the Territories to decide.

On the question of the establishment of Provincial institutions in the West the Assembly ,in May, 1900, was unanimous, and the result of the elections in May, 1902, demonstrated definitely that the Assembly clearly represented public opinion throughout the Territories upon that subject. As I stated in

my address, "the issue is plain;" I do not know how it could have been made plainer. The people have decided and their decision is found in the fact that not only am I offered the support of a greater proportion of the members of the House than I ever had before, but also that 24 out of the 25 members of the last House who sought re-election (and who all voted "yea" on the Resolution of May 2, 1900) were returned at the top of the polls in their respective districts. I may also say that the result of the election has justified my statement that it could only demonstrate and accentuate the fact that there undoubtedly is some divergence of opinion in the Territories upon the one or more Province question. There are probably a few members of the new Legislature who support the view of two Provinces but they are not united as to the manner in which the Territories should be divided. Annexation of any part to Manitoba has not a single advocate in the House, while an overwhelming majority of the constituencies has pronounced in favour of one Province.

I will go further and say that the people of the Territories practically unanimously voted for the establishment of the country upon the Provincial basis. The manner in which that shall be done is, to again quote from my address, "a question which in the last resort is one for the Dominion Government to settle." At the request of Sir Wilfrid Laurier, in my letter of December 7, 1901, I placed on record the views of the Government of the Territories as to the matters which should receive consideration, and at the same time condensed those views in the form of a draft Bill. Since then, with a full knowledge of the facts, the people of the Territories have elected new representatives, a large majority of whom support and approve those views. So that I am free to claim—as I do—that the people of the Territories have given their answer to the statement, expressed on behalf of the Dominion Government, that they are not united on the question of Provincial establishment. I have admitted that there are divergencies of opinion upon details of the question, as there are upon all questions in which any community is interested, but there is certainly no divergence of opinion upon the question of the establishment of Provincial institutions in the Territories upon fair, just and equitable terms, analogous to those upon which the older Provinces have been dealt with. We are seeking no favours—we but request that we be fairly dealt with. We have nothing new to lay before the Government, nothing but what has already been stated,

save only that the conditions are growing more intolerable, the financial stringency is more accentuated, and our constitutional inability to do anything to help ourselves still more marked. We claim—as we have always claimed—that our sparse population, as well as its present rapid increase, are factors in our public life urgently calling for the early attention of Parliament with a view to dealing adequately with our disabilities, and it has already been sufficiently demonstrated that there is no warrant for the belief that the people of the Territories are not sufficiently alive to their own wellbeing as not to be practically a unit upon this question.

In a letter, addressed to you on January 30, 1901, I said "that financial embarrassments rather than constitutional aspirations" led us to request the full Provincial powers. I might now say that we are driven by both reasons. Financial necessities have developed constitutional aspirations, but apart from the purely financial aspect of the case we demand that system of government under which we shall have as full opportunities for the exercise of our citizenship as our fellow citizens in the Provinces. The local Government and Legislature should have full and free scope of action left to them on many subjects which relate to the prosperity and happiness of the country and the North-West will not be satisfied until this is granted.

This letter will be presented to you by Mr. Bulyea, and I have to earnestly ask that you will be so good as to afford him an opportunity to present to both yourself and Sir Wilfrid Laurier such supplementary remarks as may seem to him to be required to make clear the views of the Government upon this—to the Territories—most momentous matter.

In conclusion I would once more urge upon your consideration the question involved in the whole subject of the future welfare of the Territories, in the hope that such consideration will result in the introduction of legislation dealing with these matters at the coming session of Parliament.

I am, dear Mr. Sifton,

Yours very sincerely,

F. W. G. HAULTAIN.

22 Letter from Premier Haultain to Sir Wilfrid Laurier, Feb. 3, 1903.

EXECUTIVE COUNCIL.
REGINA, February 3, 1903.

The Right Honourable
SIR WILFRID LAURIER, G.C.M.G.,
President of the Privy Council,
Ottawa.

SIR,—I have the honour to enclose a Memorandum supplementary to the printed statement submitted to you on December 7, 1901, relating to the establishment of Provincial Institutions in the North-West Territories.

The large immigration of the year just closed together with the prospect of a still larger immigration in the present year and the years to follow, make it necessary for me to change some of the figures in the printed statement referred to.

The Memorandum will refer by number to the sections in the draft Bill submitted in the printed statement, and may be considered as supplementary to, or amending, the explanatory memorandum appended to each section of the draft.

I might say with regard to the financial clauses of the draft Bill that they are based, of course, upon the law and the practice prevailing at the present time. Should the demands made by the Inter-provincial Conference be acceded to by your Government our subsidies would presumably be paid upon the same basis.

I have the honour to be,
Sir,
Your obedient servant,

F. W. G. HAULTAIN.

REGINA, February 3, 1903.

[MEMORANDUM.]

Section 4. In the printed statement a request for an initial Parliamentary representation of ten, based upon expectation of population, is made.

The immigration for the past two years, as shown by the Reports of the Department of the Interior, added to the population as shown by the last census, would give us a present population of 250,000; that means that we are at the present

moment entitled to a representation of ten members in the House of Commons.

The estimated increase for the present year of 100,000 would entitle us to four additional members by the end of the year, or, as the immigration season closes in the early summer, it would be fair to say that before Parliament prorogues the Territories will be entitled, on actual population, to a representation of fourteen members.

As there is every indication that the movement of population into the Territories will continue in larger proportions for some years to come, it is fair to presume that long before the next census is taken our representation in Parliament will be very much less, proportionately to population, than that of any other portion of Canada.

A very conservative estimate for the year 1904 and the years following to the date of the next census would be an increase of 250,000 which would mean a population of not less than 600,000 at the end of the year 1910. Estimating that these figures are based upon reasonable expectations, we should be granted a representation of not less than twenty until the next census is taken, after which, of course, the provisions of The British North America Act would govern.

Section 22.—The amounts mentioned in clause (*b*) of this section should be changed as follows: The per capita allowance at the rate of eighty cents should be paid on an initial population of 400,000, estimated on the figures set forth in the supplementary note to section 4.

Section 23.—As the legislation creating the new Province cannot reasonably be expected to come into effect until the latter part of the present year, the debt allowance should be paid upon an initial population of 350,000, based upon expectations already mentioned.

23. Telegram from the Minister of the Interior to Premier Haultain, Feb. 5, 1903.

[TELEGRAM.]

OTTAWA, Ont., Feb. 5, 1903.

To HON. F. G. HAULTAIN, Regina,

Have arranged for Committee of Council to meet yourself and Mr. Bulyea on question of financial grant for coming year.

Think you should bring your accountant with full details of proposed expenditure for next year.

CLIFFORD SIFTON.

24. Letter from Premier Haultain to the Minister of the Interior, Feb. 11, 1903.

REGINA, February 11, 1903.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa.

Dear Mr. SIFTON,—When I received your telegram announcing the appointment of the subcommittee of Council to confer with Mr. Bulyea and me on the North-West financial questions I was under the impression that Mr. Bulyea, having been in Ottawa about that date, was aware of the intended appointment. Since then I have had both letters and telegrams from him which would lead me to suppose that he does not know about the appointment, and, as he will not return to Ottawa from New Brunswick until next Monday or Tuesday, I must ask you to postpone any meeting of the subcommittee until after that date. Any day after Tuesday the 17th instant will suit us, and the earliest day after then that is most convenient to you will be most convenient for us.

I should like to ask the consideration by the subcommittee of Council of our Provincial proposition. The question of financial assistance this year will, of course, necessarily be discussed, whether the Government decide to take action on the Provincial question or not, as in any event, the present system would remain in existence this year, or at least for the greater part of it. The question is such an important one and the necessity so urgent that in addition to any statement on the subject which I have already made I would again urge on you the importance of its immediate settlement.

Yours faithfully,

F. W. G. HAULTAIN.

25. Letter from Clerk of the Privy Council to Premier Haultain, Feb. 9, 1903.

PRIVY COUNCIL,
OTTAWA, 9th February, 1903.

The Hon. F. W. G. HAULTAIN,
Premier North-West Territories,
Regina, N.W.T.

SIR,—By direction of the Right Honourable the President of Council, I have the honour to acknowledge the receipt of your communication of the 3rd February instant, relating to the establishment of Provincial Institutions in the North-West Territories.

I have the honour to be,
Sir,
Your obedient servant,
JOHN J. McGEE,
Clerk of the Privy Council.

26. Letter from P. G. Keys to Premier Haultain, Feb. 16, 1903.

DEPARTMENT OF THE INTERIOR,
OTTAWA, 16th February, 1903.

Hon. F. W. G. HAULTAIN,
Attorney General and Premier,
Regina, Assa., N.W.T.

SIR,—I have the honour, by direction, to acknowledge the receipt of your communication of the 3rd instant, addressed to the Right Honourable Sir Wilfrid Laurier, Prime Minister, which has been referred to the Minister of the Interior, and in which you enclose a memorandum supplementary to the printed statement submitted to the Premier on the 7th December, 1901, in regard to the establishment of Provincial Institutions in the North-West Territories.

I have the honour to be,
Sir,
Your obedient servant,
P. G. KEYS,
Secretary.

27. Letter from Premier Haultain to the Minister of the Interior, Mar. 19, 1903.

RIDEAU CLUB,
OTTAWA, 19 March, 1903.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa.

Dear Mr. SIFTON,—As I have remained over here for some days since I last saw you, you may possibly have addressed me to Regina with respect to the result of the recent interview of Mr. Bulyea and myself with the subcommittee of Council regarding North-West affairs. In case no decision has yet been arrived at or communicated to me, may I ask you to let me have, if possible, before your departure for England, a final reply (addressed to Regina) on behalf of the Government to our request for the creation of a Province and for larger financial assistance in the meantime.

Your faithfully,

F. W. G. HAULTAIN.

28. Letter from the Minister of the Interior to Premier Haultain, Mar. 21, 1903.

DEPARTMENT OF THE INTERIOR,
OTTAWA, 21st March, 1903.

Hon. F. W. G. HAULTAIN,
Regina, Assa.

My Dear HAULTAIN.—I sent a note over to the Rideau Club but found you were gone. The question of your financial arrangements was up for discussion today, and Mr. Fielding will communicate with you. The arrangement suggested will, I think, prove reasonably satisfactory.

Your faithfully,

CLIFFORD SIFTON.

29. Letter from Premier Haultain to Sir Wilfrid Laurier, April 15, 1903.

EXECUTIVE COUNCIL,
REGINA, April 15, 1903.

The Right Honourable.
SIR WILFRID LAURIER, G.C.M.G.,
President Privy Council,
Ottawa, Ont.

Dear SIR WILFRID LAURIER,—Shortly before Mr. Sifton left for England he wrote me a note saying that the subcommittee of Council, appointed to deal with North-West affairs, had had a final meeting, and that I should hear from Mr. Fielding what the Government intended to do.

When in Ottawa, I pointed out to Mr. Sifton and to the subcommittee of Council that it was important that we should be made aware of the intentions of the Government at as early a date as possible. The North-West Legislature will meet on Thursday, as the session could not be postponed any longer, owing to the statutory necessity for meeting within one year of last session. We have not, as yet, heard from Mr. Fielding, and we shall be obliged to meet our Legislature on Thursday next without having any idea at all as to the amount of money which will be available for legislative appropriation this year. May I ask you to see that we are informed as soon as possible of the result of our interview with you.

I am enclosing a copy of a letter, addressed to Mr. Sifton, for the information of the Government, to which I referred in my interview with the subcommittee and which, no doubt, you have already seen. It deals exclusively with the question of Provincial Institutions in the Territories; and I would again, on behalf of my colleagues, earnestly ask your consideration of our request.

With regard to our Vote, I might add to anything I have already said and written on the subject, that the immigration this season is even larger than any estimate previously formed, and that the necessities created by this large increase in our population will be greater than those indicated by me in my statement which was written at the request of the subcommittee and addressed to Mr. Sifton on the twenty-first day of February last.

I would also, in Mr. Sifton's absence, ask for your particular attention to our request for a Vote supplementary to the

Vote for the current year. Whatever amount the Government may decide to give us for the year beginning on the 1st July next, it will be quite inadequate for the purposes of the year for which it is voted, and will leave us, so far as the conditions of last year and the necessities for the first six months of this year, in a very awkward position. As I pointed out to the subcommittee we were obliged last year, not only on account of the unexpectedly large increase to our population, but also on account of floods and other untoward conditions, to undertake the large amount of work—imperatively necessary at the time—on the credit of the small amount of money payable to us in the beginning of January, for the first six months of this year. Nothing but the most urgent necessity, I admit, could have justified this expenditure, but we are quite confident that the conditions of the past season were an absolute justification of our action.

These circumstances constitute the grounds for our request, not only for a large increase to our grant for the coming Dominion fiscal year, but for a substantial supplementary Vote to meet the actual necessities of the present moment.

To sum up, I beg to ask for an early reply to our request: First, for the granting of Provincial Institutions to the Territories; Secondly, for a Vote supplementary to the North-West grant for the current year; and Thirdly, for a largely increased Vote for the year 1903-1904.

Yours faithfully,

F. W. G. HAULTAIN.

30. Telegram from Minister of Finance to Premier Haultain, April 16, 1903.

[TELEGRAM.]
Hon. F. W. G. HAULTAIN,
Regina, N.W.T.

OTTAWA, April 16, 1903.

Government will place in supplementary estimates for coming year two hundred and fifty thousand dollars to cover the over expenditure of these Territories and also recommend to Parliament an advance of capital account up to five hundred thousand dollars from time to time for approved public works. The two bridges which have been specially arranged for to be

charged to the capital advance. It will be better that all bridges in Territories be left to the Territorial Government. Please treat this as confidential for a few days until you can arrange to have it dealt with by Order in Council.

W. S. FIELDING.

31. Telegram from Premier Haultain to Minister of Finance, April 17, 1903.

Hon. W. S. FIELDING,
Ottawa.

REGINA, April 17, 1909.

Supplementary vote quite satisfactory if made supplementary to current year. Other propositions absolutely unsatisfactory in method and amount. Conditions here require large increase to annual grant for coming Dominion fiscal year apart from question of capital advance, for which we have made no request. In case capital advance is made unrestricted disposal by local legislature must be allowed, and we should strongly protest against any part of cost of replacing Macleod and Lethbridge bridges, both Federal undertakings, being charged.

Writing.

F. W. G. HAULTAIN.

32. Telegram from Minister of Finance to Premier Haultain, April 20, 1903.

[TELEGRAM.]

F. W. G. HAULTAIN, OTTAWA, April 20, 1903.
Regina, N.W.T.

Will await your letter before taking further action.

W. S. FIELDING.

83. Letter from Sir Wilfrid Laurier to Premier Haultain, April 20, 1903.

The Hon. F. W. G. HAULTAIN,
Regina Assa.

OTTAWA, 20th April, 1903.

Dear Mr. HAULTAIN,—I beg to acknowledge receipt of your favour of the 15th instant. As Mr. Fielding has communicated with you already by wire on the subject therein mentioned, I do not suppose that it requires any further reply.

Believe me, yours very sincerely,

WILFRID LAURIER.

84. Extract from letter dated April 20, 1903, addressed to the Hon. W. S. Fielding, Minister of Finance, signed F. W. G. Haultain.

* * * * * * *

I trust that the further consideration of this whole subject promised in your telegram of this date will result in some more definite recognition of our necessities than has hitherto been evidenced. The one and the best solution of all these difficulties has, on several occasions of late, been suggested to the Dominion Government, and it seems to me thatI might well close this communication by an expression of the opinion that just so long as the Provincial status is withheld from the Territories will it be necessary for the Government of the Territories to direct attention with increasing force and emphasis to the present unsatisfactory manner of making financial provision for the public requirements of the country.

35. Memorial from Legislative Assembly, N.W.T., to Dominion Government, April 24, 1903.

To His Excellency the Right Honourable Sir Gilbert John Elliott, Earl of Minto and Viscount Melgund, of Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto, of Minto, County of Roxburg, in the Peerage of Great Britain, Baronet of Nova Scotia. Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, &c., &c., Governor General of Canada.

May it Please Your Excellency:

We, His Majesty's dutiful and loyal subjects, the Legislative Assembly of the North-West Territories of Canada, in session assembled, humbly approach Your Excellency for the purpose of representing—

That by an Address dated on the second day of May in the year one thousand nine hundred, a copy of which is attached hereto, the Legislative Assembly pointed out that repeated representations had been made, in various ways, to the Government of Canada with a view to obtaining just and equitable assistance towards providing for the proper and effective administration of affairs in those Territories and for the public necessities of their rapidly increasing population, and that such representations had been met by intermittent and insufficient additions to the annual grant, the provision so made by the Parliament of Canada never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institutions created by itself;

That by the said Address, the Legislative Assembly humbly prayed that Your Excellency would be graciously pleased to cause an inquiry to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as would provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of Government and Legislation assumed with respect to these Territories by the Parliament of Canada, and it was furthermore humbly prayed that Your Excellency would be also graciously pleased to order inquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories or any part thereof should be established as a Province;

That since the passing of the said Address further representations have been made in various ways to Your Excellency's Government with regard to the financial and constitutional position of the Territories;

That during the past three years the immediate necessities of the Territories have been vastly increased by a remarkable immigration movement, which is still going on;

That no adequate response has been made to the repeated requests for the financial assistance necessary for the proper and effective administration of the affairs of these Territories and for the public necessities of their rapidly increasing population;

That the Legislative Assembly, representing, as it does, the unanimous opinion of the people of the Territories, believes that nothing short of that system of government enjoyed by our fellow citizens in the Provinces will afford a solution of the Legislative and financial difficulties which confront it;

Therefore we do humbly pray that Your Excellency in Council will cause such action to be taken as will provide for the present and immediate financial necessities of the Territories and will further provide for the establishment of Provincial Institutions in the Territories upon fair and just terms analogous to those upon which the old Provinces have been dealt with;

All of which we humbly pray Your Excellency to take into Your Excellency's gracious and favourable consideration.

A. B. GILLIS,
Speaker of the Legislative Assembly
of the North-West Territories.

36. Letter from Lieutenant Governor Forget to the Secretary of State, April 24, 1903.

LEGISLATIVE ASSEMBLY CHAMBERS,
REGINA, April 24, 1903.

The Honourable
The Secretary of State,
Ottawa.

SIR,—I have the honour to forward herewith for transmission to His Excellency the Governor General, the enclosed Address to His Excellency, from the Legislative Assembly of

the North-West Territories, upon the present constitutional and financial condition of the North-West Territories.

I have, etc.,

A. E. FORGET,
Lieutenant Governor.

37. Letter from Department of Secretary of State to Lieutenant Governor Forget, April 29, 1903.

OTTAWA, 29th April, 1903.

His Honour
The Lieutenant Governor of the North-West Territories,
Regina, N.W.T.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 24th instant, enclosing an Address to His Excellency from the Legislative Assembly of the North-West Territories upon the present constitutional and financial condition of the North-West Territories and to state that the same has been duly submitted to the Governor General in Council.

I have, etc.,

P. PELLETIER,
Acting Under-Secretary of State.

38. Letter from Premier Haultain to Sir Wilfrid Laurier June 2, 1903.

REGINA, June 2, 1903.

The Right Hon. Sir WILFRID LAURIER, G.C.M.G.,
President Privy Council,
Ottawa.

SIR,—I have the honour on behalf of the North-West Government to again ask for a reply to the requests set out in my letter to you of the 15th April last. Acknowledging that letter on the 20th April you say "As Mr. Fielding has communicated "with you already by wire on the subject therein mentioned, "I do not suppose that it requires any further reply." Mr. Fielding's telegram of the 16th April was a confidential and informal proposition and only dealt with the financial position.

On the 17th April I telegraphed Mr. Fielding our objections to his proposition, and informed him that I was writing on the subject. On the 20th April Mr. Fielding telegraphed "Will "await your letter before taking further action." My letter to Mr. Fielding was dated the 20th April. On the 25th April the Territorial Legislature adjourned for six weeks to await the decision of the Federal Government with regard to the North-West grant, and up to the present time no further communication on the subject has been received by us. In further reference to your letter of the 20th April I beg to point out that Mr. Fielding's telegram does not deal with the most important part of my letter of the 16th April, namely, our request for Provincial Institutions, and I would most respectfully urge that our representations on this important question merit some further reply than can be gathered by implication from the fact that Mr. Fielding does not refer to them.

I have, etc.,

F. W. G. HAULTAIN.

89. Letter from Sir Wilfrid Laurier to Premier Haultain, June 8, 1903.

OTTAWA, 8th June, 1903.

The Hon. F. W. G. HAULTAIN,
President of the Executive Council,
Regina, N.W.T.

SIR,—I have the honour to acknowledge the receipt of your letter of the 2nd instant. The Minister of Finance has, by this time, communicated with you respecting the financial grant to be given to the North-West Legislature.

With regard to your further request that legislation be introduced this session conferring on the Territories full provincial organisation, I have had the honour to discuss the matter with the members of the House of Commons from the Territories. I have asked them to consider whether it would be advisable to have such legislation introduced this year. We are, as you know, introducing a Redistribution measure at the present session, and we are giving to the Territories a much larger representation in the House of Commons than they would be entitled to were they to become organised at once as

a province. In fact the Bill which we have introduced allows to the Territories a representation in the House of Commons of ten members. Were they to be admitted at once as a province, they would be entitled to only six members. It would be a question of extreme difficulty and complications to give to the Territories at the same time all the advantages of full provincial organisation without the corresponding disadvantages.

I have the honour to be,
Sir,
Yours truly,
WILFRID LAURIER.

40. Letter from Premier Haultain to Sir Wilfrid Laurier, June 15, 1903.

The Right Hon. Sir WILFRID LAURIER, G.C.M.G.,
President Privy Council,
Ottawa, Ont.

REGINA, June 15, 1903.

SIR,—I have the honour to acknowledge receipt of your letter of the Eighth instant relating to the question of Provincial Institutions in the Territories, and to express regret on the part of the North-West Government that that question has again been put on one side for a reason which seems quite foreign to the subject.

With all deference to the opinion expressed by you, I cannot see that the representation proposed to be given to the Territories under the Redistribution Bill could be in any way affected by the passing of concurrent legislation granting the Provincial status to the Territories.

The provisions of the B.N.A. Act relating to representation would not, I submit, apply to a Province which, at the earliest, could only come into existence at the same time as the Redistribution Bill became law. Even if legislation creating a Province were introduced at the present session of Parliament, the actual coming into existence of the Province would necessarily be postponed for some months to enable Territorial affairs to be wound up, and thus any question with regard to representation and the effect of the B.N.A. Act would be removed. I might also remind you that upon the admission of British Columbia into the Confederation and upon the

creation of the Province of Manitoba larger representation was given than these two Provinces were respectively entitled to under the B.N.A. Act.

You say that you have discussed the question of Provincial organization with the Members of the House of Commons from the Territories and have asked them to consider whether it would be advisable to have such legislation introduced this year. Your letter does not make it clear what the opinion of those gentlemen is, but I feel justified in asserting that that opinion was not in accord with the wishes of the people they represent unless it supported the claims made by us which are unanimously endorsed by the North-West Legislature, and were practically unanimously endorsed by the people of the North-West Territories at the General Elections in May, 1902. The question of larger representation in the Federal Parliament is without doubt an important one, but the infinitely more urgent question of Provincial organisation should not be subordinated to it. The two questions are quite separate and independent, and cannot, I think I have shown, affect one another. Under any circumstances, however, the obtaining of Provincial powers is in our opinion of much greater importance to the people of the Territories than additional representation in a Parliament whose failure to fulfil the duties and obligations it has assumed with regard to the North-West is one of our strongest reasons for demanding Home Rule.

I have the honour to be, Sir,
Your obedient servant,
F. W. G. HAULTAIN.

41. Telegram from the Minister of the Interior to Premier Haultain, July 23, 1903.

OTTAWA, July 23, 1903.

Hon. F. W. G. HAULTAIN,
Regina.

Please have copies of following letters sent to me here by first mail, A. L. Sifton to myself, eleventh August, nineteen hundred and one; sixteenth December, nineteen hundred and two; myself to A. L. Sifton, fourteenth August, nineteen hundred and one; yours to me fifteenth April last. Letters and copies mislaid here.

CLIFFORD SIFTON.

42. Letter from Clerk of the Executive Council to the Minister of the Interior, July 24, 1904.

REGINA, July 24, 1903.

The Hon. CLIFFORD SIFTON,
Minister of the Interior,
Ottawa.

SIR,—In the absence of Mr. Haultain I have the honour to acknowledge receipt of your telegram, asking that copies of the following letters be sent to you at Ottawa by first mail:

(1) Letter dated August 11, 1901, signed by the Hon A. L. Sifton, addressed to yourself;

(2) Letter dated December 17, 1902, signed by the Hon. A. L. Sifton, addressed to yourself;

(3) Letter dated August 14, 1901, signed by yourself, addressed to the Hon. A. L. Sifton;

(4) Letter dated April 15, 1903, signed by the Hon. F. W. G. Haultain, addressed to yourself.

As I have been unable to definitely locate certain of the letters described above, I am forwarding to you herewith copies in duplicate, of the printed correspondence, as laid on the Table of the Legislative Assembly here dealing with the subjects of the Provincial question and the Parliamentary grant to the Territories. On page 6 of the pamphlet headed "Memorial" will be found printed copies of two telegrams, under dates of August 10 and August 14, 1901, which passed between the Hon. A. L. Sifton and yourself which are the only communications that have been traced anywhere near those dates appearing to comply with your request.

The letter dated December 17, 1902, is the letter first printed in the pamphlet headed "Correspondence." No trace of any letter dated April 15th last, written by Mr. Haultain, addressed to you, can be found here, but it is thought that your reference may possibly be the letter addressed on that date by Mr. Haultain to Sir Wilfrid Laurier, which will be found printed in its regular place in both pamphlets.

Should these not be the letters to which you have reference, I would be pleased to make further search if you will kindly indicate the nature of the subject dealt with in the letters you desire.

I have the honour to be, Sir,
Your obedient servant,
JOHN A. REID,
Clerk Executive Council.

43. Telegram from Department of Interior to Premier Haultain, Oct. 7, 1903.

OTTAWA, Ont., October 7, 1903.

Hon. F. W. G. HAULTAIN,
Regina, N.W.T.

Mr. Sifton wired you on the 23rd of July asking you for copies of following correspondence, A. L. Sifton to Clifford Sifton, eleventh August, nineteen hundred and one; ditto, seventh December, nineteen hundred and two; Clifford Sifton to A. L. Sifton, fourteenth August, nineteen hundred and one; yourself to Clifford Sifton, eleventh February last, wanted. Sir Wilfrid Laurier's secretary asks that you also send the following letters: Yourself to Sir Wilfrid, fifteenth March, nineteen hundred and two; Sir Wilfrid to you, eighteenth March, nineteen hundred and two. Most important to have these to complete returns. Please wire if sent.

JAMES SMART.

44. Telegram from Clerk of Executive Council to Deputy Minister of the Interior, Oct. 8, 1903.

JAMES A. SMART, REGINA, October 8, 1903.
Deputy Minister Interior,
Ottawa.

Your telegram to Premier. All letters and telegrams asked for will be found in printed documents forwarded with my letter to Minister Interior dated July twenty-four. Further copies going by mail.

JOHN A. REID.
Clerk Executive Council.

45. Letter from Clerk of Executive Council to the Deputy Minister of the Interior, Oct. 8, 1903.

JAMES A. SMART, Esq., REGINA, October 8, 1903.
Deputy Minister Interior,
Ottawa,

SIR,—I have the honour to confirm my telegram of this date, sent in Mr. Haultain's absence, reading:

Your telegram to Premier. All letters and telegrams asked for will be found in printed documents forwarded with my letter to Minister Interior, dated July 24. Further copies going by mail.

I am enclosing to you herewith two copies of all correspondence, down to June 2, last, connected with the Memorial of the Legislative Assembly of May 2, 1900, dealing with the financial and constitutional position of the Territories, and of the correspondence between the Federal and Territorial Governments, down to June 6 last, respecting the Parliamentary grant for expenditure by the Government of the Territories during the calendar year 1903.

As it would appear not improbable from your telegram that my letter to the Minister, of July 24 last, was not at present available I am enclosing a copy herewith, for your information, as it indicates some possible slight confusion in the record of the correspondence as to the persons between whom the several letters and telegrams passed. All communications referred to in your telegram will be found printed in either the pamphlet headed "Memorial," or that headed "Correspondence," in the places indicatetd by their respective dates.

I have the honour to be, Sir,
Your obedient servant,

JOHN A. REID,
Clerk Executive Council.

46. Letter from Deputy Minister of the Interior to Clerk of Executive Council, Oct. 21, 1903.

JOHN A. REID, Esq., OTTAWA, October 21, 1903.
Clerk, Executive Council,
Regina.

DEAR SIR,—I duly received your letter of the 8th instant, enclosing two copies of all correspondence dealing with the financial and constitutional position of the Territories, which have come duly to hand, and for which please accept my thanks.

Yours truly,

JAMES A. SMART,
Deputy Minister.

47. Letter from Lieutenant Governor Forget to the Secretary of State, Nov. 21, 1903.

REGINA, November 21, 1903.

SIR,—I have the honour to enclose, herewith, for submission to His Excellency the Governor General in Council, the following original document, viz.,—

An humble petition of the Legislative Assembly of the Territories, to His Excellency in Council, adopted on the 20th day of November, 1903, reaffirming the statements, and renewing the prayers contained in its addresses, dated respectively the Second day of May, 1900, and the Twenty-fourth day of April, 1903,—and praying that the same be taken into His Excellency's most gracious, favourable and early consideration.

The two addresses above referred to, were transmitted by the undersigned, to your Department, the first under cover of despatch dated the 20th July, 1900, and the second under cover of despatch dated the 24th April, 1903.

I have the honour to be, Sir,
Your obedient servant,

A. E. FORGET,
Lieutenant Governor, N.W.T.

The Honourable,
The Secretary of State,
Ottawa, Ont.

48. Memorial from Legislative Assembly, N.W.T., to the Dominion Government, Nov. 20, 1903.

To His Excellency the Right Honourable Sir GILBERT JOHN ELLIOT, Earl of Minto and Viscount of Melgund, County of Forfar, in the Peerage of the United Kingdom, Baron Minto of Minto, County of Roxburgh, in the Peerage of Great Britain, Baronet of Nova Scotia, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, etc., etc., etc., Governor General of Canada.

MAY IT PLEASE YOUR EXCELLENCY—

We, His Majesty's dutiful and loyal subjects, the Legislative Assembly of the North-West Territories, in Session assembled, humbly approach Your Excellency for the purpose of representing—

That this House does most respectfully and earnestly reaffirm the statements and renew the prayers contained in its addresses to Your Excellency, dated on the Second day of May, 1900, and the Twenty-fourth day of April, 1903.

All of which we humbly pray Your Excellency to take into Your Excellency's most gracious, favourable and early consideration.

A. B. GILLIS,
Speaker of the Legislative Assembly.
of the North-West Territories.

Legislative Assembly Chambers,
Regina, N.W.T., November 20, 1903.

49. Letter from Department of Secretary of State to Lieutenant Governor Forget, Nov. 28, 1903.

His Honour OTTAWA, 28th November, 1903

The Lieutenant Governor of the North-West Territories,
Regina, North-West Territories.

SIR,—I have the honour to acknowledge receipt of your despatch, No. 34, of the 21st instant, enclosing, for submission to His Excellency the Governor General in Council, the Petition of the Legislative Assembly of the North-West Territories, reaffirming the statements and renewing the prayers contained in previous Addresses to His Excellency dated the 2nd day of May, 1900, and the 24th April, 1903.

In this connection I may observe that no Resolutions of the Legislature of the North-West Territories appear to have been received by the Secretary of State in the year 1900. A Resolution, dated the 4th May, 1900 (not 2nd of May), was received here on the 5th February, 1901, and laid before His Excellency the Governor General in Council, but the covering despatch does not indicate the tenor of the Resolution in question.

In regard to the Address of the 24th April last, which you say was sent to the Secretary of State under cover of despatch of even date, I beg to say that two despatches were received from you on the 24th April, 1903, the one enclosing an Address from the Assembly upon the present constitutional and financial condition of the North-West Territories, and the other dealing with the question of transportation.

The Secretary of State would be glad to know to which of these two subjects the Address of the 20th November, 1903, relates, as your despatch of the 21st instant does not disclose this information.

I have the honour to be, Sir,
Your obedient servant,

JOSEPH POPE,
Under Secretary of State.

50. Letter from Lieutenant Governor Forget to Secretary of State, Dec. 5, 1903.

REGINA, December 5, 1903.

The Honourable
The Secretary of State,
Ottawa.

SIR,—I have the honour to acknowledge the receipt of a letter (File No. 2341) from the Under-Secretary of State, dated the 28th ultimo, acknowledging the receipt of my despatch of the 21st November, covering, for submission to His Excellency the Governor General in Council, the Petition of the Legislative Assembly of the North-West Territories, reaffirming the statements and renewing the prayers contained in previous Addresses to His Excellency dated the 2nd May, 1900, and the 24th April, 1903. In this letter the Under-Secretary of State stated that no Resolutions of the Legislature of the North-West Territories appear to have been received by the Secretary of State in the year 1900 but that a Resolution dated the 4th May, 1900, was received in Ottawa on the 5th February, 1901, and that the tenor of the Resolution is not indicated in my covering despatch.

It is possible some misunderstanding has arisen from the fact that reference is made in the Under-Secretary of State's letter to a Resolution, whereas the document of May 2nd forwarded by me on July 20, 1900, was an Address, a copy of which I now have the honour to forward together with my covering letter and the acknowledgment of its being duly received.

With regard to the Address of the 24th April last, the one which is referred to is the one enclosing an Address from the

Legislative Assembly upon the constitutional and financial condition of the Territories, of this I also enclose a copy for your information.

I have the honour to be, Sir,
Your obedient servant,
A. E. FORGET,
Lieutenant Governor.

51. Letter from Department of Secretary of State to Lieutenant Governor Forget, Dec. 9, 1903.

His Honour OTTAWA, December 9, 1903.

The Lieutenant Governor of the North-West Territories,
Regina, North-West Territories.

SIR,—I have the honour to acknowledge the receipt of your despatch of the 5th instant, and regret to find that I was in error in stating that no Addresses or Resolutions of the Legislature of the North-West Territories appear to have been received by the Secretary of State during the year 1900.

Your despatch of the 20th July, 1900, and accompanying Address were duly received and laid before His Excellency the Governor General in Council on the 25th of the same month. The Secretary of State will take the same action with respect to the despatch and enclosures of the 21st November last.

I trust that Your Honour will be so good as to accept my apologies for the error into which I was inadvertently led.

I have the honour to be, Sir,
Your obedient servant,
JOSEPH POPE,
Under-Secretary of State.

52. Letter from Premier Haultain to Sir Wilfrid Laurier, May 19, 1904.

The Right Honourable OTTAWA, May 19, 1904.

SIR WILFRID LAURIER, G.C.M.G.,
President of the Privy Council,
Ottawa.

SIR,—On several occasions since the Second Day of May, 1900, I have had the honour to direct the attention of the Do-

minion Government, both through yourself and the Minister of the Interior, to the Memorial of the Legislative Assembly of the Territories, adopted on that date, asking that the preliminary steps should be taken towards the creation of Provincial Institutions in that portion of the Dominion. You will, I have no doubt, recall the conference held in the fall of 1901 by a subcommittee of the Privy Council, of which you were a member, with my then colleague, Mr. A. L. Sifton, and myself on behalf of the Territorial Government; and you will also be familiar with the extended statement setting forth our views and crystallizing them, as it were, in the form of a draft Bill, submitted by myself on December 7, 1910, at your request. I presume you are also acquainted with the nature of the communication sent to me by the Hon. the Minister of the Interior in March, 1902, in which it was intimated that the conditions with respect to population and alleged divergence of opinion in the Territories upon details of the question were sufficient reasons, in the opinion of the Dominion Government, for not discussing our representations. As the correspondence has been laid before Parliament I assume that you are aware in January, 1903, I addressed a communication to the Hon. Mr. Sifton in which I took occasion to point out that in May, 1902, I submitted the issue to the people of the Territories, with the result that, without exception, every member of the Legislative Assembly supports the contentions of this Government upon the question of the urgency of carrying on the negotiations and taking accounts looking toward the establishment of the Territories upon the Provincial basis, no matter what their views upon other subjects may be. This statement is based, amongst other reasons, upon the fact that even as late as the Twentieth day of November last the members of the Assembly unanimously adopted a resolution to present an humble Address to His Excellency the Governor in Council reaffirming the statements and renewing the prayers upon the subject of the Provincial establishment contained in their Addresses to His Excellency, of the Second day of May, 1900, and the Twenty-fourth day of April, 1903.

To all these addresses and supplementary correspondence the only replies we have been favoured with from the Dominion Government have been the letter, referred to above, from the Hon. the Minister of the Interior, dated on March the 27th, 1902, and another from yourself dated on June the 8th, 1903. I deem it necessary in this connection to impress this fact upon

you, namely, that the Members of the Legislative Assembly are closely in touch with the people of this country, and they, one and all, have repeatedly expressed opinions entirely contrary to those which have apparently determined your action on this question. Further—and I make this statement advisedly—of the 35 members of the Assembly one-half are well known to be in active sympathy with yourself and your Government, and these gentlemen are in full accord with the other members of the House upon this subject. I might also refer to the fact that some, at least, of the political conventions at present being held in the Territories for the selection of candidates representing your party, and which are being largely guided by members of our Legislature, are adopting resolutions calling upon your Government to take up the question of our Provincial establishment and carry it to a satisfactory conclusion. I think it becoming to mention these matters at this time, as it seems to me that they are in themselves evidence that the advice tendered to you by some of your supporters in Parliament from the Territories has not been in accord with the desires of the people as they are giving expression to them.

I need not urge you to deal with this matter upon other grounds, for I have already done so as fully as I am able to do, and it only remains for me, on behalf of the Government of the Territories, to give point to the representations of the Legislative Assembly by demanding, with all respect, that your Government will take up the negotiations at the point where they were carried to by my letter of December 7, 1901, and continue them until the matters involved are settled. In doing so I have to say that we request that, at the earliest possible date after the conclusion of the negotiation and settlement of the accounts between the Dominion and the Territories, legislation be introduced into Parliament organizing upon the Provincial basis that portion of the North-West Territories lying between the western boundary of Manitoba and the eastern slope of the Rocky Mountains, and extending northward from the International boundary and the Northern boundary of Manitoba as far into the district of Athabasca as may be decided upon. We further ask that, whatever else it includes, the legislation introduced shall contain provision for—

(1) The application of the British North America Act as far as possible to the area dealt with;

(2) Adequate representation in both Houses of Parliament, bearing in mind the difference in the ratio of increase in the population in the Territories from that of the longer settled parts of the Dominion;

(3) Government, Legislature, and the administration of Justice;

(4) The preservation of vested rights;

(5) The transfer of the public domain with all Territorial rights and the beneficial interest therein involved;

(6) A subsidy based as nearly as may be upon those given to the Provinces;

(7) Remuneration for that part of the public domain alienated by the Dominion for purely Federal purposes; and

(8) The placing of the burden of the Canadian Pacific exemption upon the Dominion, where it properly belongs.

In conclusion, I beg to be permitted to state that all these matters have been repeatedly brought to the notice of your Government, and I trust they will now receive some consideration at your hands.

I have the honour to be, Sir,
Your obedient servant,

F. W. G. HAULTAIN.

53. Letter from Premier Haultain to Sir Wilfrid Laurier, May 19, 1904.

The Honourable Ottawa, May 19, 1904.
Sir Wilfrid Laurier, G.C.M.G.,
President of the Privy Council.
Ottawa.

Sir,—In the course of the correspondence which I had with you last year on the subject of the creation of a Province in the Territories, you informed me that on account of the delay in the formation of a Province the Territories were enabled to secure larger representation in the House of Commons. While not agreeing with the arguments which you advanced on this question, but still believing that the most important question for the Territories is the obtaining of full Provincial powers, I would like to point out to you that if the larger representation in the

Commons is to be regarded as a set-off to our demand for Provincial powers we have not received that representation under the new Redistribution Act to which we are entitled. Your letter pointed out that by the postponement of the Provincial question you were able to deal with the question of Territorial representation apart from the terms of The British North America Act, which in the event of the establishment of the Province would apply. I would therefore call your attention to the fact that according to the figures given by the Department of the Interior our population at present is about 450,000, and that on the present basis of representation we are entitled to eighteen members instead of the ten given us under the Redistribution Act. This representation of ten, which is at the present time far below what we are actually entitled to on population, will, long before the first Parliament elected under the new Act has come to an end, be still more inadequate. I would therefore ask you to consider the question of amending the Redistribution Act before the next General Elections, and of granting to the Territories at least the representation which they are actually entitled to at the present time, if not a representation based upon a reasonable expectation of increased population between now and next Dominion census. If we were a Province at the present time we would be entitled to the representation which I am asking for.

I have the honour to be, Sir,
Your obedient servant,
F. W. G. HAULTAIN.

54. Letter from Premier Haultain to the Minister of the Interior, May 19, 1904.

Hon. CLIFFORD SIFTON, OTTAWA, May 19, 1904.
Minister of the Interior,
Ottawa.

SIR,—On December 17, 1902, Mr. A. L. Sifton, as Treasurer of the North-West Territories, submitted a statement of estimated amounts required to be provided by Parliament for the services of the Territories falling within the control of the Legislative Assembly during the year 1903. The statement covered the following details:

Civil Government	$80,000.00
Legislation	45,000.00
Administration of Civil Justice & Ordinances	20,000.00
Public Works	400,000.00
Education	250,000.00
Agriculture and Statistics	50,000.00
Hospitals, Charities and Public Health	25,000.00
Miscellaneous services not grouped above	10,000.00
	$880,000.00

On February 21, 1903, at the request of Sir Wilfrid Laurier and yourself, I submitted a statement furnishing full details of the above estimates, at the same time taking occasion to point out that such had been the unexpected increase in the demands for schools, arising from the great increase in our population, that I felt it necessary to amend the estimate for "Education" by $16,000.00 thus making the total estimated requirements for the year 1903 to be $896,000.

To meet our estimated expenditures—which were shown in my communication of February 21 to be far short of the public necessities—we received the following sums:

One half of the grant for 1902-3:

Paid in January 1903		$228,989.50
One half of the grant for 1903-4 due in July, 1903 but paid in two instalments as follows:		
1. July 20	91,595.80	
2. November 2nd	262,393.70	
		353,989.50
		$582,979.00

No reference is here made to the supplementary vote of $250,000.00 to cover our overdraft of 1902, as that stands by itself and has no connection with our estimates for 1903 or 1904.

We thus practically received some $300,000.00 less than the amount required to meet our public obligations, and in consequence have had to curtail our expenses. Every work required and not done in 1903 is calling for attention in 1904, in addition to other and largely increased necessities. This year

we require at least $1,000,000.00 to perform the services placed upon us by Parliament, one half of which amount we expect to be called upon to expend upon public works. Our other services are so inelastic that whatever amount we fall short of the sum above stated will necessarily have to be withdrawn from the expenditure upon roads, bridges and similar public necessaries.

It may occur to you that Parliament made other provision for expenditure upon public works in the Territories that has not been here mentioned, and which might possibly be utilized. In that connection I have first to say that our public works expenditure during 1904 does not contemplate such works as properly range themselves with "capital" expenditure. Had the Legislative Assembly decided to make any such expenditures authority for so doing would more properly form the subject of a separate communication, without any connection whatever with the sums under consideration.

But apart from that I have to remind you of the nature of the statements made to you every year since your accession to office and which are well summarized in the concluding words of Mr. A. L. Sifton's letter addressed to yourself on January 9, 1903, which I here quote:

> The Territories having all their assets in the hands of the Dominion Government must therefore depend upon the Dominion Government for this source of revenue, as well as for the annual subsidy which they receive for ordinary services, and until such time as the Dominion Government is prepared to assume the responsibility for the formation of a Province, or Provinces, upon terms which will enable them to assume their own responsibilities, and, if they so desire, incur their own liabilities, it rests with the Dominion Government to furnish the necessary means to carry on the work in a proper manner commensurate with the work that is done in the other Provinces of the Dominion.

I am enclosing two statements, one of which will show you the amount of work done, and taxation imposed upon themselves, by the people of the Territories during the year 1903.

With regard to the work and taxation, you will see from the statements that work to the extent of $223,655.00 was actually performed during the year. The school statement shows that during last year we actually created 133 new school districts. I may add that we have already at this date formed or are in the process, of forming a similar number this year and we calculate that we will establish at least 200 new districts before the end of the year. We only begin to feel the effects of the large immigration the second year after it has come in, and during this year and every succeeding year our necessities will increase very much more largely in proportion to other

years. The statement also shows the amount of taxation imposed by the people themselves for school purposes.

These two statements will I think speak for themselves, and it will be quite unnecessary for me to inform you with regard to the increased numbers of people who are coming into the Territories this year. Under all the circumstances, and in view of the inadequate amount supplied to us last year, I feel I am quite within the mark and making a very modest request when I ask for an increase of $400,000,000, at least, for the coming Dominion year.

I have the honour to be, Sir,
Your obedient servant,
F. W. G. HAULTAIN.

Schools in Operation.

No. in operation in 1901	682
Increase for the year	89
No. in operation in 1902	783
Increase for the year	101
No. in operation in 1903	916
Increase for the year	133
No. in operation in 1904 (estimated)	1,116
Increase for the year (estimated)	200

NOTE: Each room in operation to which grant is paid is classed as a school.

Taxation.

The returns received by the Department for 1903 show that

The Taxes collected by rural districts amount to	$225,198.19
The Taxes collected by town and village districts amount to	192,540.24
Total	$417,738.43

The average rate of taxation for 1903 as nearly as can be estimated with the figures at hand was,—

In rural districts about 4c. per acre.

In town and village districts about 8 mills on the dollar.

NOTE: (1) In rural districts the rate of taxation varies from 2 cents to 10 cents per acre. There are a great many

districts that levy rates of 5 cents, 6, 7 and 8 cents per acre. In town and village districts from 10 to 15 mills on the dollar is not an uncommon tax.

(2) While the above figures show the amount of taxes collected there is a very large sum of arrears of taxes outstanding —probably $150,000. These arrears are due principally on railway and other lands which were purchased by speculators during the past year and a half. In order to make up the deficit caused by the nonpayment of these arrears trustees have had to borrow large sums by note. The figures given therefor do not accurately indicate the amount required to be raised by taxation to maintain our schools.

Debenture indebtedness, 1903.

171 districts were authorized to borrow $210,760.00.

159 districts registered debentures amounting to $205,-210.00.

Public Works Taxation.

STATEMENT showing approximate value of work performed in small Local Improvement Districts during the year 1903.

Implements purchased	$10,000.00
664 days work with road grader at $3.00.	1,992.00
605 miles fireguard ploughed at $10.00.	6,050.00
727 miles road graded at $20.00	14,540.00
464 miles road cleared at $10.00	4,640.00
2,218 small bridges built, at $30.00	66,540.00
1,179 small bridges repaired at $10.00	11,790.00
36 dams built at $75.00	2,700.00
92 dams repaired at $25.00	2,300.00
3,337 sloughs and holes filled at $10.00	33,370.00
50,970 yds. corduroy completed at 75 cents	38,227.50
	$192,149.50
Amount raised by two rural municipalities	31,506.00
	$223,655.50

55. Letter from Sir Wilfrid Laurier to Premier Haultain, Sept. 30, 1904.

PRIVY COUNCIL,

Hon. F. W. G. HAULTAIN,
Regina, Assa.,

OTTAWA, Sept. 30, 1904.

DEAR SIR,—My attention has been called to the fact that there has been no reply sent to your letters of May 19th and June 1st respectively.

In regard to the subject raised in the letter of May 19th permit me to say that I do not think that I upon any occasion indicated an opinion that larger representation in the House of Commons was to be regarded as a set-off to the demands of the North-West Territories for provincial powers. I merely pointed out that the action of my Government in declining to introduce legislation to constitute the North-West Territories into a Province at the time when your Government requested it had resulted in an increased number of representatives being granted to the North-West Territories in the House of Commons. Had the request for provincial autonomy been granted when it was made the representation would necessarily have been governed by The British North America Act, and you would now have been entitled to six members, which could not have been increased until the decennial readjustment of representation. By reason of the fact that the North-West Territories still remains without provincial autonomy we have been able to deal more liberally in that respect. It was not suggested that the Territories were entitled to call for an annual readjustment of its representation on the basis of population, nor do I think that any precedent can be found in constitutional practice for such a suggestion. The number of members granted in the last Redistribution Act was based upon a somewhat liberal computation of the population as presumed to exist at the time when the Act was introduced. The question as to what should be the representation of the Territories when they are constituted into a province or provinces is one which will call for renewed consideration when the question of provincial autonomy is dealt with.

In reference to your letter of the 1st of June I do not think that I need discuss at length the representations which it contains further than to intimate my opinion that circumstances have justified the wisdom of the course adopted by my Govern-

ment in declining to deal finally two years ago with the many important questions involved in the admission of the North-West Territories into confederation as a province or provinces. Rapid development has taken place in the North-West Territories during the intervening period and I am inclined to the view that all those who will be called upon to give consideration to the subject will be in a position to deal with it in the near future with the advantage of fuller and more comprehensive information than could possibly have been available two years ago. You will have learned prior to the receipt of this letter that Parliament has been dissolved. The new House of Commons will contain not four but ten representatives of the North-West Territories who coming fresh from the people will be entitled to speak with confidence as to the views and requirements of those whom they represent. Should my Government be sustained we will be prepared immediately after the election to enter upon negotiations for the purpose of arriving at a settlement of the various questions involved in the granting of provincial autonomy with a view to dealing with the question at the next session of Parliament.

Yours respectfully,

WILFRID LAURIER.

56. Letter from Premier Haultain to Sir Wilfrid Laurier, Oct. 5, 1904.

EXECUTIVE COUNCIL,

REGINA, October 5, 1904.

The Right Honourable
SIR WILFRID LAURIER, G.C.M.G.,
President of the Privy Council,
Ottawa.

SIR,—I have the honour to acknowledge receipt of your letter of the 30th ultimo, in which you inform me that your attention has been called to the fact that there had been no reply sent to my letters of May 19 and June 1, that Parliament had been disolved, and that if your Government is sustained you will be prepared, immediately after the election, to enter upon negotiations for the purpose of arriving at a settlement of the various questions involved in the granting of provincial autonomy with a view to dealing with the question at the next session of Parliament.

I have the honour to be, Sir,
Your obedient servant,

F. W. G. HAULTAIN.

The Alberta Act.

4 AND 5 EDWARD VII., CHAPTER 3.

An Act to establish and provide for the Government of the Province of Alberta.

[*Assented to 20th July, 1905.*]

Preamble. Whereas in and by *The British North America Act,* 1871, being chapter 28 of the Acts of the Parliament of the United Kingdom passed in the session thereof held in the 34th and 35th years of the reign of Her late Majesty Queen Victoria, it is enacted that the Parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province, and for its representation in the said Parliament of Canada;

And whereas it is expedient to establish as a province the territory hereinafter described, and to make provision for the government thereof and the representation thereof in the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title. 1. This Act may be cited as *The Alberta Act.*

Province of Alberta formed: its boundaries. 2. The territory comprised within the following boundaries, that is to say,—commencing at the intersection of the International boundary dividing Canada from the United States of America by the fourth meridian in the system of Dominion land surveys; thence westerly along the said international boundary to the eastern boundary of the Province of British Columbia; thence northerly along the said eastern boundary of the province of British Columbia to the north-east corner of the said province; thence easterly along the parallel of the sixtieth degree of north latitude to the fourth meridian in the system of Dominion lands surveys as the same may be hereafter defined in accordance with the said system; thence southerly along the said fourth meridian to the point of commencement,—is hereby established as a province of the Dominion of Canada, to be called and known as the province of Alberta.

B.N.A. Acts, 1867 to 1886, to apply.

3. The provisions of *The British North America Acts,* 1867 to 1886, shall apply to the province of Alberta in the same way and to the like extent as the apply to the provinces heretofore comprised in the Dominion, as if the said province of Alberta had been one of the provinces originally united, except in so far as varied by this Act and except such provisions as are in terms made, or by reasonable intendment, may be held to be specially applicable to or only to affect one or more and not the whole of the said provinces.

Representation in the Senate.

4. The said province shall be represented in the Senate of Canada by four members: Provided that such representation may, after the completion of the next decennial census, be from time to time increased to six by the Parliament of Canada.

Representation in the House of Commons.

5. The said province and the province of Saskatchewan shall, until the termination of the Parliament of Canada existing at the time of the first readjustment hereinafter provided for, continue to be represented in the House of Commons as provided by chapter 60 of the statutes of 1903, each of the electoral districts defined in that part of the schedule to the said Act which relates to the North-west Territories, whether such district is wholly in one of the said provinces, or partly in one and partly in the other of them, being represented by one member.

Readjustment after next quinquennial census.

6. Upon the completion of the next quinquennial census for the said province, the representation thereof shall forthwith be readjusted by the Parliament of Canada in such manner that there shall be assigned to the said province such a number of members as will bear the same proportion to the number of its population ascertained at such quinquennial census as the number sixty-five bears to the number of the population of Quebec as ascertained at the then last decennial census; and in the computation of the number of members for the said province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded, and a fractional part exceeding one-half of that number shall be deemed equivalent to the whole number, and such readjustment shall take effect upon the termination of the Parliament then existing.

Subsequent readjustments.

2. The representation of the said province shall thereafter be readjusted from time to time according to the provisions of section 51 of *The British North America Act,* 1867.

Election of members of House of Commons.

7. Until the Parliament of Canada otherwise provides, the qualifications of voters for the election of members of the House of Commons and the proceedings at and in connection with elections of such members shall, *mutatis mutandis,* be those prescribed by law at the time this Act comes into force with respect to such elections in the North-west Territories.

Executive Council.

8. The Executive Council of the said province shall be composed of such persons, under such designations, as the Lieuteenant Governor from time to time thinks fit.

Seat of Government.

9. Unless and until the Lieutenant Governor in Council of the said province otherwise directs, by proclamation under the Great Seal, the seat of government of the said province shall be at Edmonton.

Powers of Lieutenant Governor and Council.

10. All powers, authorities and functions which under any law were before the coming into force of this Act vested in or exercisable by the Lieutenant Governor of the North-west Territories, with the advice, or with the advice and consent, of the Executive Council thereof, or in conjunction with that Council or with any member or members thereof, or by the said Lieutenant Governor individually, shall, so far as they are capable of being exercised after the coming into force of this Act in relation to the government of the said province, be vested in and shall or may be be exercised by the Lieutenant Governor of the said province, with the advice or with the advice and consent of, or in conjunction with, the Executive Council of the said province or any member or members thereof, or by the Lieutenant Governor individually, as the case requires, subject nevertheless to b abolished or altred by the Legislature of the said Province.

Great Seal.

11. The Lieutenant Governor in Council shall, as soon as may be after this Act comes into force, adopt and provide a Great Seal of the said province, and may, from time to time, change such seal.

Legislature. **12.** There shall be a Legislature for the said province consisting of the Lieutenant Governor and one House to be styled the Legislative Assembly of Alberta.

Legislative Assembly. **13.** Until the said Legislature otherwise provides, the Legislative Assembly shall be composed of twenty-five members, to be elected to represent the electoral divisions defined in the schedule to this Act.

Election of members of Assembly. **14.** Until the said Legislature otherwise determines, all the provisions of the law with regard to the constitution of the Legislative Assembly of the North-West Territories and the elections of members thereof shall apply, *mutatis mutandis,* to the Legislative Assembly of the said province and the elections of members thereof respectively.

Writs for first election. **15.** The writs for the election of the members of the first Legislative Assembly of the said province shall be issued by the Lieutenant Governor and made returnable within six months after this Act comes into force.

Law courts and officers continued. **16.** All laws and all orders and regulations made thereunder, so far as they are not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, and all courts of civil and criminal jurisdiction, and all commissions, powers, authorities and functions, and all officers and functionaries, judicial, administrative and ministerial, existing immediately before the coming into force of this Act in the territory hereby established as the province of Alberta, shall continue in the said province as if this Act and *The Saskatchewan Act* had not been passed; subject, nevertheless, except with respect to such as are enacted by or existing under Acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the said province, according to the authority of the Parliament, or of the said Legislature: Provided that all powers, authorities and functions which under any law, order or regulation were, before the coming into force of this Act, vested in or exercisable by any public officer or functionary of the North-west Territories shall be vested in and exercisable in and for the said province by like public officers and functionaries of the said province when appointed by competent authority. Proviso.

Province may abolish Supreme Court of N.W.T.

2. The Legislature of the province may, for all purposes affecting or extending to the said province, abolish the Supreme Court of the North-west Territories, and the offices, both judicial and ministerial, thereof, and the jurisdiction, powers and authority belonging or incident to the said court: Provided that, if, upon such abolition, the Legislature constitutes a superior court of criminal jurisdiction, the precedure in criminal matters then obtaining in respect of the Supreme Court of the North-West Territories shall, until otherwise provided by competent authority, continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such precedure to be inapplicable to such superior court.

Proviso.

As to certain corporations in N.W.T.

3. All societies or associations incorporated by or under the authority of the Legislature of the North-Territorities existing at the time of the coming into force of this Act which include within their objects the regulation of the practice of or the right to practise any profession or trade in the North-west Territories, such as the legal or the medical profession, dentistry, pharmaceutical chemistry and the like, shall continue, subject, however, to be dissolved and abolished by order of the overnor in Council, and each of such societies shall, have power to arrange for and effect the payment of its debts and liabilities, and the division, disposition or transfer of its property.

As to joint stock companies.

4. Every joint-stock company lawfully incorporated by or under the authority of any ordinance of the North-west Territories shall be subject to the legislative authority of the province of Alberta if—

(*a*) the head office or the registered office of such company is at the time of the coming into force of this Act situate in the province of Alberta; and

(*b*) the powers and objects of such company are such as might be conferred by the Legislature of the said province and not expressly authorized to be executed in any part of the North-west Territories beyond the limits of the said province.

Education.

17. Section 93 of *The British North America Act*, 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:—

"1. Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the Ordinances of the North-west Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances."

2. In the appropriation by the Legislature or distribution by the Government of the Province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29 or any Act passed in amendment thereof, or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression "by law" is employed in paragraph 3 of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30, and where the expression "at the Union" is employed, in the said paragraph 3, it shall be held to mean the date at which this Act comes into force.

Subsidy to province.

18. The following amounts shall be allowed as an annual subsidy to the province of Alberta and shall be paid by the Government of Canada, by half-yearly instalments in advance, to the said province, that is to say:—

For government.

(a) for the support of the Government and Legislature, fifty thousand dollars;

In proportion to population.

(b) on an estimated population of two hundred and fifty thousand, at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—a census of the said province shall be taken in every fifth year, reckoning from the general census of one thousand nine hundred and one, and an appropriate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly, and so on until the population has reached eight hundred thousand souls.

Annual payment to province.

19. Inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the Government of Canada, by half-yearly payments in

advance, an annual sum of four hundred and five thousand three hundred and seventy-five dollars, being the equivalent of interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

Compensation to province for public lands.

20. Inasmuch as the said province will not have the public land as a source of revenue, there shall be paid by Canada to the province by halfyearly payments, in advance, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows:—

The population of the said province being assumed to be at present two hundred and fifty thousand, the sum payable until such population reaches four hundred thousand, shall be three hundred and seventy-five thousand dollars;

Thereafter, until such population reaches eight hundred thousand, the sum payable shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

Further compensation.

2. As an additional allowance in lieu of public lands, there shall be paid by Canada to the province annually by half-yearly payments, in advance, for five years from the time this Act comes into force, to provide for the construction of necessary public buildings, the sum of ninety-three thousand seven hundred and fifty dollars.

Property in lands, etc.

21. All Crown lands, mines and minerals and royalties incident thereto, and the interest of the Crown in the waters within the province under *The North-west Irrigation Act,* 1898, shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of the Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the North-west Territories.

Division of assets and liabilities between Saskatchewan and Alberta.

22. All properties and assets of the North-west Territories shall be divided equally between the said provinces shall be divided equally between the said provinces and the provinces of Saskatchewan, and the two provinces shall be jointly and equally responsible for all debts and liabilities of the North-west Territories: Provided that, if any difference arises as to the division and adjustment of such properties, assets, debts and liabilities, such difference shall be referred to the arbitrament of three arbitrators, one of whom shall be chosen by the Lieutenant Governor in Council of each province, and the third by the overnor in Council. The selection of such arbitrators shall not be made until the Legislatures of the provinces have met, and the arbitrator chosen by Canada shall not be resident of either province.

Arbitration.

Rights of H.B. Co.

23. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to the Crown.

Provision as to C.P.R. Co.

24. The powers hereby granted to the said province shall be exercised subject to the provisions of section 16 of the contract set forth in the schedule to chapter 1 of the statutes of 1881, being an Act respecting the Canadian Pacific Railway Company.

Commencement of Act.

25. This Act shall come into force on the first day of September, one thousand nine hundred and five.

SCHEDULE.

(*Section* 13.)

The province of Alberta shall be divided into twenty-five electoral divisions which shall respectively comprise and consist of the parts and portions of the province hereinafter described.

In the following descriptions where "meridians between ranges" and "boundaries of townships" or "boundaries of sections" are referred to as the boundaries of electoral divisions, these expressions mean the meridians, boundaries of townships or boundaries of sections, as the case may be, in accordance with the Dominion Lands system of surveys, and include the extension thereof in accordance with the said system.

Names and Descriptions of Divisions.

(1) The electoral division of Medicine Hat, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Alberta by the north boundary of the 38th township; thence westerly along the north boundary of the 38th townships to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the meridian between the 10th and 11th ranges to the southern boundary of the said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the south-east corner thereof; thence northerly along the eastern boundary of the said province of Alberta to the point of commencement.

(2) The electoral division of Cardston, bounded as follows:—

Commencing at the southern boundary of the said province of Alberta where it is intersected by the meridian between the 10th and 11th ranges, west of the 4th meridian; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 5th township; thence westerly along the north boundary of the 5th township to the St. Mary river; thence along the St. Mary river up stream to the south boundary of the Blood Indian Reserve; thence westerly along the said south boundary of the Blood Indian Reserve to the meridian between the 27th and 28th ranges west of the 4th meridian; thence southerly along the said meridian between the 27th and 28th ranges to the north boundary of the 2nd township; thence westerly along the north boundary of the 2nd townships to the meridian between the 29th and 30th ranges west of the 4th meridian; thence southerly along the said meridian between the 29th and 30th ranges to the southern shore of the Waterton Lakes; thence in a westerly and southerly direction and following the southerly and eastern shores of the said Waterton Lakes to the southern boundary of the said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the point of commencement.

(3) The electoral division of Lethbridge, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 5th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 14th township; thence westerly along the north boundary of the 14th townships to the Bow river; thence along the Bow river up stream to the north boundary of the 19th township; thence westerly along the north boundary of the 19th townships to the meridian between the 22nd and 23rd ranges, west of the 4th meridian; thence southerly along the said meridian between the 22nd and 23rd ranges to the Belly river; thence along the Belly river down stream to the St. Mary river; thence along the St. Mary river up stream to the north boundary of the 5th township; thence easterly along the north boundary of the 5th townships to the point of commencement.

(4) The electoral division of Macleod, bounded as follows.

Commencing at the south boundary of the Blood Indian Reserve where it is intersected by the St. Mary river; thence along the said St. Mary river down stream to the Belly river; thence along the said Belly river up stream to its most northerly intersection with the meridian between the 22nd and 23rd ranges, west of the 4th meridian; thence northerly along the said meridian between the 22nd and 23 ranges to the north boundary of the 14th township; thence westerly along the north boundary of the 14th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th township to the 5th meridian; thence southerly along the said 5th meridian to the north boundary of the 10th township; thence easterly along the said north boundary of the 10th township to the meridian between the 29th and 30th ranges, west of the 4th meridian; thence southerly along the said meridian between the 29th and 30th ranges to the north boundary of the 8th township; thence easterly along the said north boundary of the 8th township to the west boundary of the Peigan Indian Reserve; thence southerly along the said west boundary of the Peigan Indian Reserve to the south-west corner of the said Peigan Indian Reserve; thence easterly along the south boundary of th said Peigan Indian Reserve to the south-east corner of the said

Reserve; thence in a straight line south-easterly to the north-east corner of section 14 in the 6th township in the 27th range, west of the 4th meridian; thence along the north boundary of section 13 in the said 6th township and in the 27th range to the meridian between the 26th and 27th ranges west of the 4th meridian; thence southerly along the said meridian between the 26th and 27th ranges to the Belly river; thence along the Belly river up stream to the south boundary of the said Blood Indian Reserve; thence easterly along the said south boundary of the Blood Indian Reserve to the point of commencement.

(5) The electoral division of Pincher Creek, bounded as follows:—

Commencing at the southern boundary of the said province of Alberta, where it is intersected by the eastern shore of the Waterton lakes, thence northerly and easterly and along the said eastern shores and the southern shores of the Waterton lakes to the meridian between the 29th and 30th ranges west of the 4th meridian; thence northerly along the said meridian between the 29th and 30th ranges to the north boundary of the 2nd township; thence easterly along the said north boundary of the 2nd townships to the meridian between the 27th and 28th ranges west of the 4th meridian; thence northerly along the said meridian between the 27th and 28th ranges to the south boundary of the Blood Indian Reserve; thence westerly along the said south boundary of the Blood Indian Reserve to the Belly river; thence along the said Belly River down stream to the meridian between the 26th and and 27th ranges west of the 4th meridian; thence northerly along the said meridian between the 26th and 27th ranges to the northeast corner of section 13 in the 6th township in the said 27th range; thence westerly along the north boundary of the said section 13 to the northeast corner of section 14 in the said 6th township in the 27th range; thence in a straight line northwesterly to the southeast corner of the Peigan Indian Reserve; thence westerly along the south boundary of the said Peigan Indian Reserve to the southwest corner of the said Indian Reserve; thence northerly along the west boundary of the said Indian Reserve to the north boundary of the 8th township; thence westerly along the said north boundary of the 8th townships to the meridian between the 29th and 30th ranges west of the 4th meridian; thence northerly along the said meridian between the 29th and 30th ranges to the north

boundary of the 10th township; thence westerly along the said north boundary of the 10th township to the 5th meridian; thence northerly along the said 5th meridian to the north boundary of the 11th township; thence westerly along the said north boundary of the 11th townships to the western boundary of the said province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the southern boundary of the said province of Alberta; thence easterly along the said southern boundary of the province of Alberta to the point of commencement.

(6) The electoral district of Gleichen, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the northern boundary of the 14th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 28th township; thence westerly along the said north boundary of the 28th townships to the meridian between the 2nd and 3rd ranges, west of the 5th meridian; thence southerly along the said meridian between the 2nd and 3rd ranges, to the north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the Bow river; thence along the said Bow river down stream to the north boundary of the 14th township; thence easterly along the said north boundary of the 14th townships to the point of commencement;—excepting and reserving out of the said electoral division the city of Calgary, as incorporated by ordinances of the North-west Territories,

(7) The electoral division of Calgary City, comprising the city of Calgary as incorporated by ordinance of the North-west Territories.

(8) The electoral division of Rosebud, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 28th township thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 33rd township; thence westerly along the said north boundary of the 33rd townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province

of Alberta to the north boundary of the 28th township; thence easterly along the said north boundary of the 28th townships to the point of commencement.

(9) The electoral division of High River, bounded as follows:—

Commencing at the meridian between the 22nd and 23rd ranges, west of the 4th meridian, where it is intersected by the north boundary of the 14th township; thence northerly along the said meridian between the 22nd and 23rd ranges to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the Bow river; thence along the said Bow river up stream to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 14th township; thence easterly along the said north boundary of the 14th townships to the point of commencement.

(10) The electoral division of Banff, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 5th meridian, where it is intersected by the north boundary of the 22nd township; thence northerly along the said meridian between the 2nd and 3rd ranges to the north boundary of the 28th township; thence westerly along the said north boundary of the 28th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the point of commencement.

(11) The electoral division of Innisfail, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 33rd township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of section twenty-four in the 36th township; thence westerly along the section line which bounds on

the north the section comprising the most southerly two-thirds of the 36th townships to the Red Deer river, in the 28th range, west of the 4th meridian; thence along the said Red Deer river down stream to the north boundary of section twenty-two, in the 37th township; thence westerly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 33rd township; thence easterly along the north boundary of the 33rd townships to the point of commencement.

(12) The electoral division of Red Deer, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of section 24, in the 36th township; thence northerly along the said meridian between the 10th and 11th ranges to the said north boundary of the 38th township; thence westerly along the said north boundary of the 38th townships to where the said north boundary of the 38th townships is intersected by the Red Deer river in the 26th range, west of the 4th meridian; thence along the said Red Deer river up stream to the Blindman river; thence along the said Blindman river up stream to the north boundary of the 39th township; thence westerly along the said north boundary of the 30th townships to the North Saskatchewan river; thence along the North Saskatchewan river up stream to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships; thence easterly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 37th townships to the Red Deer river; thence along the Red Deer river up stream to the north boundary of section twenty, in the 36th township; thence easterly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the said 36th townships to the point of commencement.

(13) The electoral division of Vermilion, bounded as follows:—

Commencing at the eastern boundary of the province of Alberta where it is intersected by the north boundary of the

38th township; thence northerly along the said eastern boundary of the province of Alberta to the North Saskatchewan river; thence along the North Saskatchewan river up stream to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 54th township; thence westerly along the said north boundary of the 54th townships to the meridian between the 19th and 20th ranges, west of the 4th meridian; thence southerly along the said meridian between the 19th and 20th ranges to the north boundary of section twenty-four, in the 47th township; thence easterly along the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th township to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 38th township; thence easterly along the said north boundary of the 38th townships to the point of commencement.

(14) The electoral division of Lacombe, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 38th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 41st township; thence westerly along the said north boundary of the 41st townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 39th township; thence easterly along the said north boundary of the 39th townships to the Blindman river; thence along the said Blindman river down stream to the Red Deer river; thence along the said Red Deer river down stream to the north boundary of the 38th township; thence easterly along the said north boundary of the 38th townships to the point of commencement.

(15) The electoral division of Ponoka, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 41st township; thence northerly along the said meridian between the 10th and 11th ranges to

the north boundary of the 44th township; thence westerly along the north boundary of the 44th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 41st township; thence easterly along the said north boundary of the 41st townships to the point of commencement.

(16) The electoral division of Wetaskiwin, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 44th township; thence northerly along the said meridian between the 10th and 11th ranges to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th township; thence westerly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 44th townships; thence easterly along the said north boundary of the 44th townships to the point of commencement.

(17) The electoral division of Leduc, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 4th meridian, where it is intersected by the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 50th township; thence westerly along the said north boundary of the 50th townships to where the said north boundary of the 50th townships first intersects the North Saskatchewan river; thence along the North Saskatchewan river up stream to the section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th township; thence easterly along the said section line which bounds on the north the sections comprising the most southerly two-thirds of the 47th townships to the point of commencement.

(18) The electoral division of Strathcona, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 4th meridian, where it is intersected by the

north boundary of the 50th township; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 53rd township; thence westerly along the said north boundary of the 53rd townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 50th township; thence easterly along the said north boundary of the 50th townships to the point of commencement.

(19) The electoral division of Stonyplain, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 53rd township; thence westerly along the said north boundary of the 53rd township to the rear line of lots fronting on the east side of the Sturgeon river in the Saint Albert settlement; thence in a southerly and westerly direction and along the said rear line to Big lake; thence in a westerly direction and along the southerly, westerly and northerly shores of Big lake to the south-west corner of lot D in the Saint Albert settlement, thence westerly and along the southerly limits of lots E. F. G, H and I in the said Saint Albert settlement to the south-east corner of the Indian Reserve Chief Michel Calahoo; thence westerly along the south boundary of the said Indian Reserve to the south-west corner thereof; thence northerly along the west boundary of the said Indian Reserve to the north boundary of the 54th township; thence westerly along the said north boundary of the 54th townships to the 5th meridian; thence northerly along the said 5th meridian to the south boundary of the Indian Reserve Chief Alexander; thence westerly along the south boundary of the Indian Reserve Chief Alexander to the south-west corner of the said reserve; thence northerly along the west boundary of the said Reserve Chief Alexander to the north boundary of the 55th township; thence westerly along the north boundary of the 55th township to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the section line which forms the north boundary of the sections comprising the most southerly two-thirds of the 37th township; thence easterly along the said section line which forms the north boundary of the sections comprising the most southerly two-thirds of the 37th townships Province of Alberta to the section line which forms the north

Saskatchewan river down stream to its most northerly intersection with the meridian between the 24th and 25th ranges west of the 4th meridian; thence northerly along the said meridian between the 24th and 25th ranges to the point of commencement.

(20) The electoral division of Edmonton City, comprising the city of Edmonton as incorporated by ordinance of the North-west Territories.

(21) The electoral division of Victoria, bounded as follows:—

Commencing at the 4th meridian where it is intersected by the North Saskatchewan river; thence northerly along the said 4th meridian to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the meridian between the 10th and 11th ranges west of the 4th meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 58th township; thence westerly along the said north boundary of the 58th townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 53rd township; thence easterly along the said north boundary of the 53rd township to the meridian between the 19th and 20th ranges west of the 4th meridian; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 54th township; thence easterly along the said north boundary of the 54th townships to the meridian between the 10th and 11th ranges, west of the 4th meridian; thence northerly along the said meridian between the 10th and 11th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the point of commencement.

(22) The electoral division of Sturgeon, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 58th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the

meridian between the 24th and 25th ranges, west of the 4th meridian; thence southerly along the said meridian between the 24th and 25th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the north boundary of the 58th township; thence easterly along the said north boundary of the 58th townships to the point of commencement. Excepting and reserving out of the said electoral division the city of Edmonton as incorporated by ordinance of the North-west Territories.

(23) The electoral division of Saint Albert, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 4th meridian, where it is intersected by the north boundary of the 53rd township; thence northerly along the said meridian between the 24th and 25th ranges west of the 4th meridian to the north boundary of the 70th township; thence westerly along the said north boundary of the 70th townships to the western boundary of the province of Alberta; thence in a southerly direction and along the said western boundary of the province of Alberta to the north boundary of the 55th township; thence easterly along the said north boundary of the 55th township to the Indian Reserve Chief Alexander; thence southerly along the western boundary of the said Indian Reserve Chief Alexander to the south-west corner of the said reserve; thence easterly along the south boundary of the said Indian Reserve Chief Alexander to the 5th meridian; thence southerly along the said 5th meridian to the north boundary of the 54th township; thence easterly along the said north boundary of the 54th township to the west boundary of the Indian Reserve Chief Michel Calahoo; thence southerly along the west boundary of the said Indian Reserve Chief Michel Calahoo to the south-west corner thereof; thence easterly along the south boundary of the said Indian Reserve Chief Michel Calahoo to the south-east corner thereof; thence in an easterly direction and along the southern limit of lots I, H, G, F, and E, in the Saint Albert settlement to the south-west corner of lot D in the said settlement; thence along the westerly and southerly shores of Big lake in a westerly, southerly and easterly direction to the rear line of lot 55 in the said Saint Albert settlement; thence in an easterly direction and along the rear line of lots fronting on the east side of the Sturgeon river in the said Saint Albert settlement to the north

boundary of the 53rd township; thence easterly along the north boundary of the 53rd township to the point of commencement.

(24) The electoral division of Peace River, bounded as follows:—

Commencing at the meridian between the 19th and 20th ranges, west of the 5th meridian, where it is intersected by the north boundary of the 70th township; thence northerly along the said meridian between the 19th and 20th ranges to the north boundary of the 80th township; thence easterly along the said north boundary of the 80th townships to the meridian between the 13th and 14th ranges, west of the 5th meridian; thence northerly along the said meridian between the 13th and 14th ranges to the north boundary of the 92nd township; thence easterly along the said north boundary of the 92nd townships to the meridian between the 20th and 21st ranges, west of the 4th meridian; thence northerly along the said meridian between the 20th and 21st ranges to the northern boundary of the province of Alberta; thence westerly along the said northern boundary of the province of Alberta to the north-west corner of the said province; thence in a southerly direction and along the western boundary of the said province of Alberta to the north boundary of the 70th township; thence easterly along the said north boundary of the 70th townships to the point of commencement.

(25) The electoral division of Athabaska, bounded as follows:—

Commencing at the eastern boundary of the province of Alberta where it is intersected by the north boundary of the 70th township; thence northerly along the said eastern boundary of the province of Alberta to the northern boundary of the said province; thence westerly along the said northern boundary of the province of Alberta to the meridian between the 20th and 21st ranges, west of the 4th meridian; thence southerly along the said meridian between the 20th and 21st ranges to the north boundary of the 92nd township: thence westerly along the said north boundary of the 92nd townships to the meridian between the 13th and 14th ranges, west of the 5th meridian; thence southerly along the said meridian between the 13th and 14th ranges, west of the 5th meridian to the north boundary of the 80th township; thence westerly

along the said north boundary of the 80th townships to the meridian between the 19th and 20th ranges, west of the 5th meridian; thence southerly along the said meridian between the 19th and 20th ranges to the north boundary of the 70th township; thence easterly along the said north boundary of the 70th townships to the point of commencement.

8. The Saskatchewan Act, 1905.

4-5 EDWARD VII., CHAPTER 42.

An Act to establish and provide for the Government of the Province of Saskatchewan.

[*Assented to 20th July, 1905.*]

Preamble. WHEREAS in and by *The British North America Act,* 1871, being chapter 28 of the Acts of the Parliament of the United Kingdom passed in the session thereof held in the 34th and 25th year of the reign of her late Majesty Queen Victoria, it is enacted that the Parliament of Canada may from time to time establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such province, and for the passing of laws for the peace, order and good government of such province and for its representation in the said Parliament of Canada;

And whereas it is expedient to establish as a province the territory hereinafter described, and to make provision for the government thereof and the representation thereof in the Parliament of Canada: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Short title. 1. This Act may be cited as *The Saskatchewan Act.*

Province of Saskatchewan formed: its boundaries. 2. The territory comprised within the following boundaries, is to say,—commencing at the intersection of the international boundary dividing Canada from the United States of America by the west boundary of the province of Manitoba to the north-west corner of the said province of Manitoba; thence continuing northerly

along the centre of the road allowance between the twenty-ninth and thirtieth ranges west of the principal meridian in the system of Dominion lands surveys, as the said road allowance may hereafter be defined in accordance with the said system, to the second meridian in the said system of Dominion lands surveys, as the same may hereafter be defined in accordance with the said system; thence northerly along the said second meridian to the sixtieth degree of north latitude to the fourth meridian in the said system of Dominion lands surveys, as the same may be hereafter defined in accordance with the said system thence southerly along the said fourth meridian to the said international boundary dividing Canada from the United States of America; thence easterly along the said international boundary to the point of commencement.—is hereby established as a province of the Dominion of Canada, to be called and known as the province of Saskatchewan.

B.N.A. Acts, 1867 to 1886 to apply.

3. The provisions of *The British North America Act,* 1867 to 1886, shall apply to the province of Saskatchewan in the same way and to the like extent as they apply to the provinces heretofore comprised in the Dominion, as if the said province of Saskatchewan had been one of the provinces originally united, except in so far as varied by this Act and except such provisions as are in terms made, or by reasonable intendment may be held to be, specially applicable to or only to affect one or more and not the whole of the said provinces.

Representation in the Senate.

4. The said province shall be represented in the Senate of Canada by four members: Provided that such representation may after the completion of the next decennial census, be from time to time increased to six by the Parliament of Canada.

Representation in the House of Commons.

5. The said province and the province of Alberta shall until the termination of the Parliament of Canada existing at the time of the first readjustment hereinafter provided for, continue to be represented in the House of Commons as provided by chapter 60 of the statutes of 1903, each of the electoral districts defined in that part of the schedule to the said Act which relates to the North-west Territories, whether such district is wholly in one of the said provinces, or partly in one and partly in the other of them, being represented by one member.

Readjustment after next quinquennial census.

6. Upon the completion of the next quinquennial census for the said province, the representation thereof shall forthwith be readjusted by the Parliament of Canada in such manner that there shall be assigned to the said province such a number of members as will bear the same proportion to the number of its population ascertained at such quinquennial census as the number sixty-five bears to the number of the population of Quebec as ascertained at the then last decennial census; and in the computation of the number of members for the said province a fractional part not exceeding one-half of the whole number requisite for entitling the province to a member shall be disregarded, and a fractional part exceeding one-half of that number shall be deemed equivalent to the whole number, and such readjustment shall take effect upon the termination of the Parliament then existing.

Subsequent readjustments.

2. The representation of the said province shall thereafter be adjusted from time to time according to the provisions of section 51 of *The British North America Act,* 1867.

Election of members of House of Commons.

7. Until the Parliament of Canada otherwise provides, the qualifications of voters for the election of members of the House of Commons and the proceedings at and in connection with elections of such members shall, *mutatis mutandis,* be those prescribed by law at the time this Act comes into force with respect to such elections in the North-west Territories.

Executive Council.

8. The Executive Council of the said province shall be composed of such persons, under such designations, as the Lieutenant Governor from time to time thinks fit.

Seat of Government.

9. Unless and until the Lieutenant Governor in Council of the said province otherwise directs, by proclamation under the Great Seal, the seat of government of the said province shall be at Regina.

Powers of Lieutenant Governor and Council.

10. All powers, authorities and functions which under any law were before the coming into force of this Act vested in or exercisable by the Lieutenant Governor of the North-west Territories, with the advice and consent of the Executive Council thereof, or in con-

junction with that Council thereof, or in conjunction with that Council or with any member or members thereof, or by the said Lieutenant Governor individually, shall, so far as they are capable of being exercised after the coming into force of this Act in relation to the government of the said province, be vested in and shall or may be exercised by the Lieutenant Governor of the said province, with the advice or with the and consent of, or in conjunction with, the Executive Council of the said province or any member or members thereof, or by the Lieutenant Governor individually, as the case requires, subject nevertheless to be abolished or altered by the legislature of the said province.

Great Seal.

11. The Lieutenant Governor in Council shall, as soon as may be after this Act comes into force, adopt and provide a Great Seal of the said province, and may, from time to time change such seal.

Legislature.

12. There shall be a Legislature for the said province consisting of the Lieutenant Governor and one House, to be styled the Legislative Assembly of Saskatchewan.

Legislative Assembly.

13. Until the said Legislature otherwise provides, the Legislative Assembly shall be composed of twenty-five members, to be elected to represent the electoral divisions defined in the schedule of this Act.

Election of members of Assembly.

14. Until the said Legislature otherwise determines, all the provisions of the law with regard to the constitution of the Legislative Assembly of the North-west Territories and the election of members thereof shall apply, *mutatis mutandis*, to the Legislative Assembly of the said province and the election of members thereof respectively.

Writs for first election.

15. The writs for the election of the members of the first Legislative Assembly of the said province shall be issued by the Lieutenant Governor and made returnable within six months after this Act comes into force.

Laws, courts and officers continued.

16. All laws and all orders and regulations made thereunder, so far as they are not inconsistent with anything contained in this Act, or as to which this Act contains no provision intended as a substitute therefor, and all courts of civil and criminal jurisdiction, and all commis-

sions, powers, authorities and functions, and all commissions, powers, authorities and functions, and all officers, and functionaries, judicial, administrative and ministral, existing immediately before the coming into force of this Act in the territory hereby established as the province of Saskatchewan, shall continue in the said province as if this Act and *The Alberta Act* had not been passed subject, nevertheless, except with respect to such as are enacted by or existing under Acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland, to be repealed, abolished or altered by the Parliament of Canada, or by the Legislature of the said province, according to the authority of the Parliament or of the said Legislature: Provided that all powers authorities and functions which under any law, order or regulation were, before the coming into force of this Act, vested in or exercisable by any public officer or functionary of the North-west Territories shall be vested in and exercisable in and for the said province by like public officers and functionaries of the said province when appointed by competent authority.

Proviso.

Province may abolish Supreme Court of N.W.T.

2. The Legislature of the province, may, for all purposes affecting or extending to the said province, abolish the Supreme Court of the North-west Territories, and the offices, both judicial and ministerial, thereof, and the jurisdiction, powers and authority belonging or incident to the said court: Provided that, if upon such abolition, the Legislature constitutes a superior court of criminal jurisdiction, the procedure in criminal matters then obtaining in respect of the Supreme Court of the North-west Territories shall, until otherwise provided by competent authority, continue to apply to such superior court, and that the Governor in Council may at any time and from time to time declare all or any part of such procedure to be inapplicable to such superior court.

Proviso.

As to certain corporations in N.W.T.

3. All societies or associations incorporated by or under the authority of the Legislature of the North-west Territories existing at the time of the coming into force of this Act which include within their objects the regulation of the practice of, or the right to practise, any profession or trade in the North-west Territories, such as the legal or the medical profession, dentistry, pharmaceutical chemistry and the like, shall continue, subject, however, to be dissolved and abolished by order of the Governor in Council,

and each of such societies shall have power to arrange for and effect the payment of its debts and liabilities, and the division, disposition or transfer of its property.

As to joint stock companies.

4. Every joint-stock company lawfully incorporated by or under the authority of any ordinance of the North-west Territories shall be subject to the legislative authority of the province of Saskatchewan if—

(*a.*) the head office or the registered office of such company is at the time of the coming into force of this Act situate in the province of Saskatchewan; and

(*b.*) the powers and objects of such company are such as might be conferred by the Legislature of the said province and not expressly authorized to be executed in any part of the North-west Territories beyond the limits of the said province.

Education.

17. Section 93 of *The British North America Act,* 1867, shall apply to the said province, with the substitution for paragraph (1) of the said section 93, of the following paragraph:—

"(1) Nothing in any such law shall prejudicially affect any right or privilege with respect to separate schools which any class of persons have at the date of the passing of this Act, under the terms of chapters 29 and 30 of the Ordinances of the North-west Territories, passed in the year 1901, or with respect to religious instruction in any public or separate school as provided for in the said ordinances."

2. In the appropriation by the Legislature or distribution by the Government of the province of any moneys for the support of schools organized and carried on in accordance with the said chapter 29, or any Act passed in amendment thereof or in substitution therefor, there shall be no discrimination against schools of any class described in the said chapter 29.

3. Where the expression "by law" is employed in paragraph (3) of the said section 93, it shall be held to mean the law as set out in the said chapters 29 and 30; and where the expression "at the Union" is employed, in the said paragraph (3), it shall be held to mean the date at which this Act comes into force.

Subsidy to province.

18. The following amounts shall be allowed as an annual subsidy to the province of Saskatchewan,

and shall be paid by the Government of Canada, by half-yearly instalments in advance, to the said province, that is to say:—

For Government. (*a*) for the support of the Government and Legislature, fifty thousand dollars;

In proportion to population. (*b*) on an estimated population of two hundred and fifty thousand, at eighty cents per head, two hundred thousand dollars, subject to be increased as hereinafter mentioned, that is to say:—a census of the said province shall be taken in every fifth year reckoning from the general census of one thousand nine hundred and one, and an approximate estimate of the population shall be made at equal intervals of time between each quinquennial and decennial census; and whenever the population, by any such census or estimate, exceeds two hundred and fifty thousand, which shall be the minimum on which the said allowance shall be calculated, the amount of the said allowance shall be increased accordingly, and so on until the population has reached eight hundred thousand souls.

Annual payment to province. **19.** Inasmuch as the said province is not in debt, it shall be entitled to be paid and to receive from the Government of Canada, by half-yearly payments in advance, an annual sum of four hundred and five thousand three hundred and seventy-five dollars, being the equivalent of interest at the rate of five per cent per annum on the sum of eight million one hundred and seven thousand five hundred dollars.

Compensation to province for public lands. **20.** Inasmuch as the said province will not have the public land as a source of revenue, there shall be paid by Canada to the province by half yearly payments, in advance, an annual sum based upon the population of the province as from time to time ascertained by the quinquennial census thereof, as follows:—

The population of the said province being assumed to be at present two hundred and fifty thousand, the sum payable until such population reaches four hundred thousand, shall be three hundred and seventy-five thousand dollars;

Thereafter, until such population reaches eight hundred thousand, the sum payable shall be five hundred and sixty-two thousand five hundred dollars;

Thereafter, until such population reaches one million two hundred thousand, the sum payable shall be seven hundred and fifty thousand dollars;

And thereafter the sum payable shall be one million one hundred and twenty-five thousand dollars.

Further compensation.

2. As an additional allowance in lieu of public lands, there shall be paid by Canada to the province annually by half yearly payments, in advance, for five years from the time this Act comes into force, to provide for the construction of necessary public buildings, the sum of ninety-three thousand seven hundred and fifty dollars.

Property in lands, &c.

21. All Crown lands, mines and minerals and royalties incident thereto, and the interest of the Crown in the waters within the province under *The North-west Irrigation Act,* 1898 shall continue to be vested in the Crown and administered by the Government of Canada for the purposes of Canada, subject to the provisions of any Act of Parliament of Canada with respect to road allowances and roads or trails in force immediately before the coming into force of this Act, which shall apply to the said province with the substitution therein of the said province for the North-west Territories.

Division of assets and liabilities between Alberta and Saskatchewan. Arbitration.

22. All properties and assets of the North-west Territories shall be divided equally between the said province and the province of Alberta, and the two provinces shall be jointly and equally responsible for all debts and liabilities of the North-west Territories: Provided that, if any difference arises as to the division and adjustment of such properties, assets, debts and liabilities, such difference shall be referred to the arbitrament of three arbitrators, one of whom shall be chosen by the Lieutenant Governor in Council of each province, and the third by the Governor in Council. The selection of such arbitrators shall not be made until the Legislatures of the provinces have met, and the arbitrator chosen by Canada shall not be a resident of either province.

Rights of H.B. Co.

23. Nothing in this Act shall in any way prejudice or affect the rights or properties of the Hudson's Bay Company as contained in the conditions under which that company surrendered Rupert's Land to the Crown.

Provision as to C.P.R. Co.

24. The powers hereby granted to the said province shall be exercised subject to the provisions of section 6 of the contract set forth in the schedule to chapter 1 of the statutes of 1881, being an Act respecting the Canadian Pacific Railway Company.

Commencement of Act.

25. This Act shall come into force on the first day of September, one thousand nine hundred and five.

SCHEDULE.

(*Section* 13.)

The province of Saskatchewan shall be divided into twenty-five electoral divisions which shall respectively comprise and consist of the parts and portions of the province hereinafter described.

In the following descriptions where "meridians between ranges" and "boundaries of townships" or "boundaries of sections" are referred to as the boundaries of electoral divisions, these expressions mean the meridians, boundaries of townships or boundaries of sections, as the case may be, in accordance with the Dominion lands system of surveys, and include the extension thereof in accordance with the said system.

Names and Descriptions of Divisions.

(1) The electoral division of Souris, bounded as follows:

Commencing at the south-east corner of the said province of Saskatchewan; thence northerly along the east boundary of the said province of Saskatchewan to the north boundary of the 6th township; thence westerly along the said north boundary of the 6th townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement.

(2) The electoral division of Cannington, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 6th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 11th township; thence westerly along the said north boundary of the 11th townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 6th township;

thence easterly along the said north boundary of the 6th townships to the point of commencement.

(3) The electoral division of Moosomin, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 11th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th townships to the 2nd meridian; thence southerly along the said 2nd meridian to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(4) The electoral division of Whitewood, bounded as follows:—

Commencing at the 2nd meridian where it is intersected by the north boundary of the 11th township; thence northerly along the 2nd meridian to the north boundary of the 20th township; thence westerly along the said north boundary of the 20th townships to the meridian between the 4th and 5th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 4th and 5th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(5) The electoral division of Grenfell, bounded as follows:

Commencing at the meridian between the 4th and 5th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 11th township; thence northerly along the said meridian between the 4th and 5th ranges to the north boundary of the 20th township; thence westerly along the said north boundary of the 20th townships to the meridian between the 6th and 7th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 6th and 7th ranges to the north boundary of the 21st township; thence westerly along the said north boundary of the 21st township to the meridian between the 7th and 8th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 7th and 8th ranges to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd township

to the meridian between the 8th and 9th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 8th and 9th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th township to the point of commencement.

(6) The electoral division of Wolseley, bounded as follows:

Commencing at the meridian between the 8th and 9th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 11th township; thence northerly along the said meridian between the 8th and 9th ranges to the north boundary of the 22nd township; thence westerly along the said north boundary of the 22nd townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th township to the meridian between the 11th and 12th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 11th and 12th ranges to the north boundary of the 11th township; thence easterly along the said north boundary of the 11th townships to the point of commencement.

(7) The electoral division of Saltcoats, bounded as follows:

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 19th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 3rd and 4th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 3rd and 4th ranges to the north boundary of the 20th township; thence easterly along the said north boundary of the 20th townships to the 2nd meridian; thence southerly along the said 2nd meridian to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the point of commencement.

(8) The electoral division of Yorkton, bounded as follows:

Commencing at the meridian between the 3rd and 4th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 20th township; thence northerly along the said meridian between the 3rd and 4th ranges to the north

boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 10th and 11th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 10th and 11th ranges to the north boundary of the 22nd township; thence easterly along the said north boundary of the 22nd townships to the meridian between the 7th and 8th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 7th and 8th ranges to the north boundary of the 21st township; thence easterly along the said north boundary of the 21st township to the meridian between the 6th and 7th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 6th and 7th ranges to the north boundary of the 20th township; thence easterly along the said north boundary of the 20th township to the point of commencement.

(9) The electoral division of South Qu'Appelle, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 11th township; thence westerly along the said north boundary of the 11th township to the meridian between the 11th and 12th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 11th and 12th ranges to the north boundary of the 19th township; thence westerly along the said north boundary of the 19th townships to the meridian between the 16th and 17th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 16th and 17th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement.

(10) The electoral division of North Qu'Appelle, bounded as follows:—

Commencing at the meridian between the 10th and 11th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 19th township; thence northerly along the said meridian between the 10th and 11th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 16th and 17th ranges, west of the 2nd

meridian; thence southerly along the said meridian between the 16th and 17th ranges to the north boundary of the 19th township; thence easterly along the said north boundary of the 19th townships to the point of commencement.

(11) The electoral division of South Regina, bounded as follows:—

Commencing at the meridian between the 16th and 17th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 16th and 17th ranges to where it is intersected by the centre of the track of the main line of the Canadian Pacific Railway; thence westerly along the said centre of the track of the main line of the Canadian Pacific Railway to where it is first intersected by the north boundary of the 17th township; thence westerly along the said north boundary of the 17th townships to the meridian between the 23rd and 24th ranges; west of the 2nd meridian; thence southerly along the said meridian between the 23rd and 24th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement. Excepting and reserving out of the said electoral division of South Regina all that portion thereof comprised within the limits of the city of Regina as incorporated by ordinance of the North-west Territories.

(12) The electoral division of Regina City, comprising the city of Regina as incorporated by ordinance of the North-west Territories.

(13) The electoral division of Lumsden, bounded as follows:—

Commencing at the meridian between the 16th and 17th ranges, west of the 2nd meridian, where it is intersected by the centre of the track of the main line of the Canadian Pacific Railway; thence northerly along the said meridian between the 16th and 17th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th townships to the meridian between the 23rd and 24th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 23rd and 24th ranges to the point where it is first intersected by the east shore of Last Mountain lake, thence southerly along the said east shore of the said

lake to its intersection with the meridian between the 23rd and 24th ranges in township 24; thence southerly along the said meridian between the 23rd and 24th ranges to the north boundary of the 17th township; thence easterly along the said north boundary of the 17th townships to where it is first intersected by the centre of the track of the main line of the Canadian Pacific Railway; thence easterly along the said centre of the track of the main line of the Canadian Pacific Railway to the point of commencement.

(14) The electoral division of Moosejaw, bounded as follows:—

Commencing at the meridian between the 23rd and 24th ranges, west of the 2nd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 23rd and 24th ranges to the point where the said meridian intersects the east shore of Last Mountain lake in township 24; thence northerly along the said east shore of Last Mountain lake to its intersection with the northern boundary of township 26, thence westerly along the said north boundary of the 26th townships to the meridian between the 7th and 8th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 7th and 8th ranges to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement;—excepting and reserving out of the said electoral division of Moosejaw all that portion thereof comprised within the limits of the city of Moosejaw as incorporated by ordinance of the North-west Territories.

(15) The electoral division of Moosejaw City, comprising the city of Moosejaw as incorporated by ordinance of the North-west Territories.

(16) The electoral division of Maple Creek, bounded as follows:—

Commencing at the meridian between the 7th and 8th ranges, west of the 3rd meridian, where it is intersected by the southern boundary of the said province of Saskatchewan; thence northerly along the said meridian between the 7th and 8th ranges to the north boundary of the 26th township; thence westerly along the said north boundary of the 26th townships to the western boundary of the said province of Saskatchewan;

thence southerly along the said western boundary of the province of Saskatchewan to the southern boundary of the said province of Saskatchewan; thence easterly along the said southern boundary of the province of Saskatchewan to the point of commencement.

(17) The electoral division of Humboldt, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 34th township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north boundary of the 42nd township; thence westerly along the said north boundary of the 42nd townships to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges to the north boundary of the 34th township; thence easterly along the said north boundary of the 34th townships to the point of commencement.

(18) The electoral division of Kinistino, bounded as follows:—

Commencing at the intersection of the eastern boundary of the said province of Saskatchewan by the north boundary of the 42nd township; thence northerly along the said eastern boundary of the province of Saskatchewan to the north-east corner of the said province; thence westerly along the northern boundary of the said province of Saskatchewan to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges to the north limit of the Indian Reserve Chief Muskoday; thence easterly along the said north limit of the Indian Reserve Chief Muskoday to the South Saskatchewan River; thence along the South Saskatchewan river up stream to the north boundary of the 45th township; thence easterly along the said north boundary of the 45th townships to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence southerly along the said meridian between the 24th and 25th ranges, to the north boundary of the 42nd township; thence easterly along the said north boundary of the 42nd townships to the point of commencement.

(19) The electoral division of Prince Albert, bounded as follows:—

Commencing at the meridian between the 24th and 25th ranges, west of the 2nd meridian, where it is intersected by the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the meridian between the 5th and 6th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 5th and 6th ranges to the north boundary of the 47th township; thence easterly along the said north boundary of the 47th townships to the meridian between the 1st and 2nd ranges, west of the 3rd meridian; thence southerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 46th township; thence easterly along the said north boundary of the 46th townships to the 3rd meridian; thence southerly along the said 3rd meridian to the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the north limit of the Indian Reserve Chief Muskoday; thence westerly along the said north limit of the Indian Reserve Chief Muskoday to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 24th and 25th ranges to the point of commencement; excepting and reserving out of the said electoral division all those portions described as follows:—

Firstly, the city of Prince Albert as incorporated by ordinances of the North-west Territories; and

Secondly, those portions of lots 68, 69, 70, 71, 72, 73, 74 75, 76, 77, 78, 79, 80, 81 and 82 of the Prince Albert settlement which lie to the south of the said city of Prince Albert as incorporated and that portion of the Hudson Bay reserve outside of and adjoining the said city on the east and south and which lies to the north of the production in a straight line easterly of the southern boundary of the said lot 82 in the Prince Albert settlement; and

Thirdly, fractional sections 13 and 24 in the 48th township in the 26th range west of the 2nd meridian.

(20) The electoral division of Prince Albert City, comprising:—

Firstly, the city of Prince Albert as incorporated by ordinance of the North-west Territories; and

Secondly, those portions of lots 68, 69, 70, 71, 72, 73, 74 75, 76, 77, 78, 79, 80, 81 and 82 of the Prince Albert settlement which lie to the south of the said city of Prince Albert

as incorporated and that portion of the Hudson Bay reserve outside of and adjoining the said city on the east and south and which lies to the north of the production in a straight line easterly of the southern boundary of the said lot 82 in the Prince Albert settlement; and

Thirdly, fractional sections 13 and 24 in the 48th township in the 26th range, west of the 2nd meridian.

(21) The electoral division of Batoche, bounded as follows:—

Commencing at the meridian between the 23rd and 24th ranges, west of the 2nd meridian, where it is intersected by the north boundary of the 26th township; thence northerly along the said meridian between the 23rd and 24th ranges to the north boundary of the 34th township; thence westerly along the said north boundary of the 34th township to the meridian between the 24th and 25th ranges, west of the 2nd meridian; thence northerly along the said meridian between the 24th and 25th ranges to the north boundary of the 45th township; thence westerly along the said north boundary of the 45th townships to where it first intersects the South Saskatchewan river; thence along the said South Saskatchewan river up stream to the north boundary of the 40th township; thence easterly along the said north boundary of the 40th townships to the meridian between the 1st and 2nd ranges, west of the 3rd meridian; thence southerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.

(22) The electoral division of Saskatoon, bounded as follows:—

Commencing at the meridian between the 1st and 2nd ranges, west of the 3rd meridian, where it is intersected by the north boundary of the 26th township; thence northerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 40th township; thence westerly along the said north boundary of the 40th township to the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the north boundary of the 41st township; thence westerly along the said north boundary of the 41st townships to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the meridian between the 13th and 14th ranges west of the 3rd meridian; thence southerly

along the said meridian between the 13th and 14th ranges to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.

(23) The electoral division of Rosthern bounded as follows:—

Commencing at the north boundary of the 41st township where it is intersected by the South Saskatchewan river; thence along the said South Saskatchewan river down stream to the 3rd meridian; thence northerly along the said 3rd meridian to the north boundary of the 46th township; thence westerly along the said north boundary of the 46th township to the meridian between the 1st and 2nd ranges, west of the 3rd meridian; thence northerly along the said meridian between the 1st and 2nd ranges to the north boundary of the 47th township; thence westerly along the said north boundary of the 47th townships to the meridian between the 5th and 6th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 5th and 6th ranges to the North Saskatchewan river; thence along the said North Saskatchewan river up stream to the north boundary of the 41st township; thence easterly along the said north boundary of the 41st townships to the point of commencement.

(24) The electoral division of Redberry, bounded as follows:—

Commencing at the meridian between the 5th and 6th ranges, west of the 3rd meridian, where it is intersected by the North Saskatchewan river; thence northerly along the said meridian between the 5th and 6th ranges, to the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the meridian between the 13th and 14th ranges, west of the 3rd meridian; thence southerly along the said meridian between the 13th and 14th ranges, to the North Saskatchewan river; thence along the said North Saskatchewan river down stream to the point of commencement.

(25) The electoral division of Battleford, bounded as follows:—

Commencing at the meridian between the 13th and 14th ranges, west of the 3rd meridian, where it is intersected by the north boundary of the 26th township; thence northerly

along the said meridian between the 13th and 14th ranges, to the northern boundary of the said province of Saskatchewan; thence westerly along the said northern boundary of the province of Saskatchewan to the western boundary of the said province of Saskatchewan; thence southerly along the said western boundary of the province of Saskatchewan to the north boundary of the 26th township; thence easterly along the said north boundary of the 26th townships to the point of commencement.

APPENDIX.

1 An Act for extending the jurisdiction of the Courts of Justice in the Provinces of Lower and Upper Canada

Anno quadragesimo tertio Georgii 3, Regis.

CH. CXXXVIII.

An Act for extending the jurisdiction of the Courts of Justice in the Province of Lower Canada, and Upper Canada, to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said Provinces.

(11th August, 1803.)

Whereas crimes and offences have been committed in the Indian Territories and other parts of America not within the limits of the Provinces of Upper or Lower Canada, or either of them, or of the jurisdiction of any of the Courts established in those provinces or within the limits of any civil government of the United States of America, and are therefore not cognizable by any jurisdiction whatever, and by reason thereof great crimes and offences have gone, and may hereafter go unpunished, and greatly increase—for remedy whereof, *May it please your Majesty* that it may be enacted, and be it enacted by the *King's Most Excellent Majesty* by and with the consent and advice of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the authority of the same, THAT, from and after the passing of this Act, all offences committed within any of the Indian territories or parts of America, not within the limits of either of the said Provinces of Upper or Lower Canada, or of any civil government of the United States of America, shall be, and be deemed to be, offen-

ces of the same nature and shall be tried in the same manner and subject to the same punishment as if the same had been committed within the Province of Lower or Upper Canada.

2. *And be it further Enacted,* that it shall be lawful for the Governor or Lieutenant Governor, or person administering the Government for the time being of the Province of Lower Canada by Commission under his hand and seal, to authorise and empower any person or persons whomsoever resident or being at the time, to act as Civil Magistrates and Justices of the Peace for any of the Indian Territories or parts of America not within the limits of either of the said provinces or of any civil government of the United States of America, as well as within the limits of either of the said Provinces, either upon informations taken or given within the said Provinces of Lower or Upper Canada, or out of the said Provinces in any part of the Indian Territories or parts of America aforesaid, for the purpose only of hearing crimes and offenses and committing any person or persons guilty of any crime or offence to safe custody in order to his or their being conveyed to the said Province of Lower Canada to be dealt with according to law, and it shall be lawful for any person or persons whatsoever to apprehend and take before any person so commissioned as aforesaid, or to apprehend and convey or cause to be safely conveyed with all convenient speed to the Province of Lower Canada any person or persons guilty of any crime or offence there to be delivered into safe custody for the purpose of being dealt with according to law.

3rd. *And be it further Enacted,* that every such offender may and shall be prosecuted and tried in the Courts of the Province of Lower Canada (or if the Governor, or Lieutenant Governor, or person administering the government for the time being, shall from any of the circumstances of the crime or offence, or the local situation of any of the witnesses for the prosecution or defence think justice may be more conveniently administered in relation to such crime or offence in the Province of Upper Canada and shall by any instrument under the great seal of the Province of Lower Canada, declare the same, then that every such offender may and shall be prosecuted and tried in the Court of the Province of Upper Canada) in which crimes or offences of the like nature are usually tried, and where the same would have been tried, if such crime or offence

had been committed within the limits of the Province where the same shall be tried under this Act; and every offender tried and convicted under this Act shall be liable and subject to such punishment as may by any law in force in the Province where he or she shall be tried be inflicted for such crime or offence, and such crime or offence may and shall be laid and charged to have been committed within the jurisdiction of such Court, and such Court may and shall proceed therein to trial, judgment and execution or other punishment for such crime or offence in the same manner and in every respect as if such crime or offence had really been committed within the jurisdiction of such Court, and shall also be lawful for the Judges and other officers the said Courts to issue subpœnas and other processes for enforcing the attendance of witnesses on any such trial, and such subpœnas and other processes shall be as valid and effectual and be in full force, and put in execution in any parts of the Indian Territories or other parts of America out of and not within the limits of the civil government of the United States of America as well as within the limits of either of the said Provinces of Upper or Lower Canada in relation to the trial of any crimes or offences by this Act made cognizable in such Court, or to the more speedy and effectually bringing any offender or offenders to justice under this Act as fully and amply as any subpœnas or other processes are within the limits of the jurisdiction of this Court, from which any such subpœnas or processes shall have issued as aforesaid; any Act or Acts, law or laws, custom, usage, matter or thing to the contrary notwithstanding.

4th. *Provided always, and be it further enacted,* that if any crime or offence charged and prosecuted under this act shall be proved to have been committed by any person or persons not being a subject or subjects of His Majesty and also within the limits of any Colony, Settlement or Territory, belonging to any European States, the Court before which such prosecution shall be had, shall forthwith acquit such person or persons, not being such subject or subjects as aforesaid, of such charge.

5th. *Provided nevertheless,* that it shall and may be lawful for such Court to proceed in the trial of any other person being a subject or subjects of His Majesty, who shall be charged with the same or any other offence, notwithstanding such offence shall appear to have been committed within the limits of any Colony, Settlement or Territory, belonging to any European State as aforesaid.

2. Hudson's Bay Company's Code of Penal Laws, Published at Moose Factory, Sept. 1, 1815.[1]

Public Notice.

By Thomas Vincent, Esquire, Governor of the Southern Territories of Rupert's Land.

Whereas the Servants in the pay of the Honble. Hudson's Bay Company in this department have heretofore given much and general cause of Complaint, by reason of their disobedience, neglect of duty, Combinations, and desertion, to the great injury of the Company, the degredation of the Officers, and the subversion of all order and discipline, and that no individual shall from and after the date hereof plead Ignorance of the Punishment which will follow the above offences in particular, and all other misdemeanours in general. This is to give Notice to all Persons of whatever denomination within these Territories, That all Crimes, Offences or misdeameanours, which are cognizable by the Laws of Englard will in future be punished according to the said Laws.

And I hereby caution all Artisans, tradesmen, Sailors, and labourers, and all servants of every denomination in the pay of the aforesaid Honble. Company against Committing any of the above offences; or any other, as from and after the date of this Notice, each and every breach of the Laws will assuredly be attended with certain punishment, which will be proportioned to the Crime Committed.

And as there are of necessity foreigners and other persons unacquainted with the Laws of England in the service of the said Honble. Company, who may be ignorant of the consequences attendant upon a breach of the Laws, the Governor of those Territories by and with the advice of his Council, have deemed it prudent to state the leading offences at the foot hereof, and opposite to them the probable punishment which will attach to each, and The Governor and Council, recommend them to the serious consideration not only of the foreigners of whatever nation but also to the entire of the Servants, whether English, Irish, Scotch or Orkneymen.,

And fully aware as the Governor and Council are that there are now in the service of the said Honble. Company in this department many individuals of turbulent and refractory

[1] Dominion Archives. Red River Disturbances, M. 778 F.

dispositions, they will do well to be cautious how they behave in future as it is resolved the law shall be strictly enforced, and that no offence, infraction of duty, or misbehaviour of any description whatever shall be overlooked or passed by unnoticed.

And as there are also many individuals of peaceable demeanour and uniform good conduct in this department, it is hoped that they will continue to conduct themselves with the same propriety for the time to come, encouragement will only be given to the most deserving and protection and support to the meritorious and well disposed.

And all Chief factors, Traders, masters of posts, and other Officers who shall have men placed under their Command, are hereby ordered to make known to the individuals placed under them respectively, the substance of this notice, which must be done by reading the entire contents to the whole of the persons collectively, or individually under their respective commands, and thus the Chief factors, Traders, masters of posts and all other officers are commanded to perform, and on no account, pretext or pretence to neglect.

And By Virtue of the powers and authority to me given by the Honble. The Governor, Deputy Governor & Committee of the Hudson's Bay Company I hereby Command all Officers of whatever description, within the Territories of the Southern Department, whether Chief Factors, Traders, masters of posts, writers, Schooner or Shallop masters, and all other Subaltern Officers, of whatever rank or denomination, who may have men placed under them, to report twice in the course of the year if possible, but at least once in the year, all cases of infraction of duty or disobedience of which any of the people placed under their respective Commands shall be guilty. These reports are to be directed to the Secretary, sealed and folded in the form of a Letter as no verbal reports can be attended to.

	Leading Offences.	Punishment Attendant.
Mutiny and desertion.	If any servant shall be found guilty of Mutiny, or if any man deserts or leaves whatever place he is ordered to remain at and defend.	Upon Conviction the same Punisment will be inflicted as in the Army and Navy besides loss of pay.
Combination.	If two or more Servants combine together to oppose any public order whatever, or instigate or induce others to resist or oppose any command which may be given by any of the Officers of whatever rank or denomination	Fine which in cases of aggravation will not be less than one year's Pay, and imprisonment in Irons or otherwise at the discretion of the Governor and Council.
Disobedience, insolence or disrespect.	If any man shall refuse to obey an Order given by any Officer of whatever rank, or that gives insolent or provoking language or that behaves improperly.	The same punishment as is inflicted for similar offences in the Army and Navy, besides fine and confinement.
Assaulting an officer.	If any man shall strike his Officer, or threatens to strike him, or abuse him in any other manner whatever, whether a Commissioned or Subaltern Officer.	Corporal punisbment, loss of pay and imprisonment in Irons or otherwise at the discretion of the Governor and Council.
Who will be considered as accessories.	And if one or more servants happen to be near, or are present when an officer is struck, or when any threats are used towards an Officer, and if the persons so present do not protect the Officer against the ill-usage he is threatened with or if the said persons refuse to interfere or do not defend their superior.	Upon Conviction they will be punished as accessories in such manner as the Governor and Council shall determine.
	When one, two, or more Servants shall be convicted of having neglected or Carelessly performed auy duty entrusted to them merely from negligence or in opposition to their orders, or for any other cause whatever.	Fine in proportion to the magnitude of the offence.

Given at Moose Factory on the first day of September in the year of Our Lord, One Thousand Eight Hundred and fifteen.

(Signed) THOMAS VINCENT,

Secretary of the Southern Department.

Governor Rupert's Land Southern Department.

3. Selkirk Treaty with the Indians, July 18, 1817[1]

THE SELKIRK TREATY.

THIS INDENTURE, made on the eighteenth day of July, in the fifty-seventh year of the reign of our Sovereign Lord King George the Third, and in the year of our Lord eighteen hundred and seventeen, between the undersigned Chiefs and warriors of the Chippeway or Saulteaux Nation and of the Killistine or Cree Nation, on the one part, and the Right Honourable Thomas Earl of Selkirk, on the other part:

Witnesseth that for and in consideration of the annual present or quit rent hereinafter mentioned, the said Chiefs have given, granted and confirmed, and do, by these presents, give, grant and confirm unto our Sovereign Lord the King all that tract of land adjacent to Red River and Ossiniboyne River, beginning at the mouth of Red River and extending along same as far as Great Forks at the mouth of Red Lake River, and along Ossiniboyne River, otherwise called Rivière des Champignons, and extending to the the distance of six miles from Fort Douglas on every side, and likewise from Fort Doer, and also from the Great Forks and in other parts extending in breadth to the distance of two English statute miles back from the banks of the said rivers, on each side, together with all the appurtenances whatsoever of the said tract

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[1] Morris, *Treaties of Canada with the Indians*, pp. 299-300. On July 17, 1817, Selkirk wrote to Hon. W. B. Collman, "You are aware that one of the allegations which have been made in vindication of the North West Company, is that the outrages committed here have arisen from the jealousy of the native Indians against agricultural settlements, and their resentment against my settlers, for having possession of their lands without their consent or any purchase from them. I believe you have already heard enough to be satisfied how little foundation there is for any such idea. But it would be still more satisfactory if the sentiments of the Indians on that point were explicitly and formally declared in your presence, and still more so if they would consent to a specific cession of a portion of their lands to bet set aside for the express purpose of agricultural settlements.

With a view to obviate misrepresentation and to show in a more decided manner their sense of the benefits likely to arise from agricultural establishments, I would propose to them, not a sale but a gift. If a large quantity of goods were offered for the purchase, it might be said, that the temptation of immediate advantage had induced them to sacrifice their permanent interests. I would therefore propose to them, merely a small annual present, in the nature of a quit rent, or acknowledgment of their right, and having specified what I intend to give in this way I would leave it to themselves to specify the boundaries of the lands, which they might agree to give up on that consideration, and to appropriate to country. But at all events the transaction would seem to facilitate the settlement of the country under Crown grants, in the event of my title being found defective.

of land, to have and to hold forever the said tract of land and appurtenances to the use of the said Earl of Selkirk, and of the settlers being established thereon, with the consent and permission of our Sovereign Lord the King, or of the said Earl of Selkirk. Provided always, and these presents are under the express condition that the said Earl, his heirs and successors, or their agents, shall annually pay to the Chiefs and warriors and successors, or their agents, shall annually pay to the Chiefs and warriors of the Chippeway or Saulteaux Nation, the present or quit rent consisting of one hundred pounds weight of good and merchantable tobacco, to be delivered on or before the tenth day of October at the forks of Ossiniboyne River—and to the Chiefs and warriors of the Killistine or Cree Nation, a like present or quit rent of one hundred pounds of tobacco, to be delivered to them on or before the said tenth day of October, at Portage de la Prairie, on the banks of Ossiniboyne River. Provided always that the traders hitherto established upon any part of the above-mentioned tract of land shall not be molested in the possession of the lands which they have already cultivated and improved, till His Majesty's pleasure shall be known.

In witness whereof the Chiefs aforesaid have set their marks, at the Forks of Red River on the day aforesaid.

(Signed) SELKIRK.

MACHE WHESEAB, His x mark.
Le Sonnant.

MECHKADDEWIKONAIE, " x "
La robe noire.

KAYAJIESKEBINOA, " x "
L'Homme Noir.

PEGOWIS, " x "

OUCKIDOAT, " x "
Le Premier.

Signed in presence of
THOMAS THOMAS.
JAMES BIRD.
F. MATTHEY,
Captain.
P. D. ORSONNENS,
Captain.
MILES MACDONNELL.
J. BTE. CHARLES DE LORIMIER.
LOUIS NOLIN,
Interpreter.

4. Abstract of Condition of the Settlement in Spring of 1822.

The Selkirk Papers (xxiv 7673 sq.) have preserved for us a very full abstract of the condition of the settlement in the spring of 1822. This statement gives a complete inventory of the buildings and other properties, the tools and utensils, the list of books belonging to the settlement, the amount of seed sown, and a census of settlers and cattle. We give here only a summary,—

Men	234
Women	161
Boys	443
Girls	443[1]
Houses	126
Gardens	160

SEED SOWN.

	Bushels.
Potatoes	570
Wheat	235 15/16
Barley	142 7/32
Indian Corn	12 19/32
Peas	17 3/4

[1] Another item appears for 681. What this means is not quite clear unless it refers to natives.

CATTLE.

Bulls	3
Oxen	6
Cows	45
Calves	39
Sheep	10
Ram, Young	1
Horses	78
Pigs	12

Establishment at Fort Douglas:—

	Value. £	s.	d.
Fort Douglas, 132 feet in front by 105 long	236	12	6
1 house	1,090	3	2
1 house	185	7	8
1 house	24	15	0
1 house	109	13	4
1 house	46	12	0
1 house	8	13	0
1 house	27	5	6
1 mill	121	16	10
1 barn	36	6	6
1 stable	5	10	0
1 ice house	32	0	0
1 potato house	20	0	0
The 2 bastions	721	16	2
Carpenter tools	37	14	6
Blacksmith tools	57	4	0
Gardeners tools	6	9	1
Tinsmiths tools	5	8	2
Kitchen utensils	27	11	3
Pembina buildings	381	8	1
Saws, etc.	25	15	0
Playfield farm	545	18	2
Boats, rigging, etc.	866	0	6
	£4,620	0	

List of Books belonging to Red River Settlement, June, 1822:—

Vols.

2. Abridgment of the Bath Papers on Agriculture.
1. Headricks view of the Island of Amar.
3. Lewis and Clark's Travels up the Missouri.
1. Lancaster on Education.
1. G. Manual.
1. Joyce's Analysis of Smith's Wealth of Nations.
1. Joyce's Arithmetic.
1. Joyce on the Sciences.
2. Accum's Chemistry.
4. Chambaud's Dictionary.
2. Johnson's Dictionary.
1. Entick's Dictionary.
1. Render's Dictionary.
1. Tomlin's Law Dictionary.
1. Hogg on Sheep.
2. Hogg's Brownie.
1. Laysteric on Merino Sheep.
1. Trotter on Drunkenness.
1. Henderson on Swine.
1. Clater on horned Cattle.
1. " on Farriery.
1. Memoirs of the War in Spain.
3. Burn's Justice.
3. Blackstone.
1. Pope's Odyssey.
1. " Iliad.
3. Edgeworth's Popular Tales.
6. " Fashionable Tales.
3. " Moral Tales.
1. Cottage of Glenburne.
12. Robertson's Works.
3. Franklin's Works.
1. Keys on Bees.
1. Guy's Fables.
1. Hamilton on Schools.
1. " Religious Exercises.
1. Domestic Cookery.
5. Burn's Poems.
10. Shakespeare's Poems.

3. Selections from the Spectator.
1. Knight on the Apple Tree.
1. Mawes Catalogue of Minerals.
1. Murray's English Grammar.
2. Graham's Poems.
2. Crabbes Borough.
" Tales.
1. " Poems.
4. Milton's Works.
1. Smith's Introduction to Botany.
1. Bloomfield's Farmer Boy.
1. Thompson's Seasons.
4. Don Quixote.
2. Robinson Crusoe.
3. Lives of the Poets.
7. Scientific Dialogues.
2. Dialogues on Chemistry.
1. Bonnycastle's Astronomy.
1. " Trigonometry.
1. " Geometry.
2. " Algeba.
2. " Mensuration.
1. Falconer's Shipwreck.
1. Arrowsmith's Atlas.
3. Furgason's Lectures.
3. Leadbeater's Cottage Dialogues.
7. Recueil des Planches sur la Science.
23. Perth's Encyclopedia.
Hume's History of England.
1. Guthrie's Grammar of Geography.
5. Count Rumford's Essays.
1. Carver's Travels.
1. Hooper's Medical Dictionary.
1. Analectic Magazine.
1. Instructions pour la Berges par Danbenton.

5. Form of Indenture for Grant of Land, Nov. 3, 1823.[1]

THIS INDENTURE made the *Third* Day of *November* in the Year One Thousand Eight Hundred and *twenty three*, between SIR JAMES MONTGOMERY, of Stanhope, in the

[1] Dominion Archives. *Bulger Correspondence*, M. 151, pp. 461-462.

County of Peebles, in Scotland, Baronet; ADAM MAITLAND, of Dundrennan, in the County of Kirkcudbright, Esquire; ANDREW COLVILE, of Ochiltree and Crombie, in the County of Fife, in Scotland, and of Leadenhall Street, in the City of London, Esquire; JOHN HALKETT, formerly of Seymour Place, in the Parish of St. George's, Hanover Square, afterwards of Spring Garden, in the Parish of St. Martin in the Fields, in the Liberties of Westminster, Esquire; and JAMES WEDDERBURN, Esquire, His Majesty's Solicitor-General for Scotland; Trustees to whom the deceased THOMAS EARL OF SELKIRK devised all his real and personal Estates wheresoever situated, by two several Testamentary Dispositions, the one dated the twentieth day of December, in the Year 1806, and the other dated the seventh day of August, in the Year 1819; both duly proved in the Prerogative Court of His Grace the Archbishop of Canterbury, on the sixth day of June, in the Year 1820; and also duly registered in the Register Book A, folio , of the Registry of this Colony, at *Fort Douglas*————,on the Banks of Red River, (the other Trustees named and appointed by the said deceased Thomas Earl of Silkirk having declined to act, and having renounced the Trust meant to have been reposed in them, by a certain Instrument of Renunciation, bearing date the first day of July, in the Year 1820, also registered in the same Register Book A, folio) of the one Part, and *Charles Bouché.*

WHEREAS by Indenture bearing Date the 12th Day of June 1811, and made between the Governor and Company of Adventurers of England, trading into Hudson's Bay of the one Part, and the said deceased Thomas Earl of Selkirk of the other Part, Nine-Tenth Parts of a certain Tract of Land, or Territory, being within, and forming Part of certain Lands and Territories of the said Governor and Company, in North America, called Rupert's Land, have been conveyed and assured unto, and to the Use of, the said Earl of Selkirk, his Heirs, and Assigns, for ever; nevertheless, upon, under, and subject to, certain Conditions in the said Indenture, expressed and declared concerning the same, which Indenture is duly registered in the Registry of this Colony, kept at *Fort Douglas* , in Book A, folio , an Abstract of which Conditions is contained in Schedule, No. 1, hereunto annexed.

AND WHEREAS the said *Charles Bouché*
is desirous of establishing himself as a Settler upon the said

Land, and the said first Parties to these Presents have agreed to Demise such Part thereof as is hereinafter described, unto the said *Charles Bouché* in manner hereinafter mentioned. NOW THEREFORE, THIS INDENTURE WITNESSETH, that in pursuance of the said Agreement, and in consideration of
of lawful English money, paid by the said
to the said first Parties to these Presents, immediately before the Execution of these Presents, the Receipt whereof is hereby acknowledged, the said first Parties to these Presents do, by these Presents, Grant, Demise, and Lease unto the said *Charles Bouché* Executors, Administrators, and Assigns, all that Parcel of Land, being part of the said Tract of Land, or Territory, conveyed and assured to the said deceased Thomas Earl of Selkirk, as aforesaid, containing by Admeasurement
square Acres, and bounded by an imaginary Line, as follows (that is to say):

TO HAVE AND TO HOLD the said Land hereby demised, or intended so to be, and every Part thereof unto the said Executors, Administrators, and Assigns, from the Day of the Date of these Presents, for the full Term of One Thousand Years, thence next ensuing, and fully to be complete and ended; Yielding and paying therefore Yearly and every year, during the said Term, the Rent of

PROVIDED ALWAYS and the said
doth hereby declare and agree to and with the said first Parties to these Presents, and their Assigns, and the Heirs and Assigns of the said Thomas Earl of Selkirk, that the said Executors, Administrators, Assigns, and all other persons whomsoever, deriving Title by, from, through, or under him, them, or any of them, shall and will at all times during the said Term, observe, perform, fulfil, and keep all and singular the Conditions expressed and contained in the hereinbefore-recited Conveyance from the said Governor and Company to the said deceased Thomas Earl of Selkirk, of which an Abstract is given in Schedule, No. 1, hereunto, annexed, so far as the same Conditions concern and apply to the Land hereby demised; and also the Orders and Regulations specified in the Schedule, No. 2, hereunto annexed, in so far as the same apply to the Land hereby demised, AND

also that the said
or Assigns, shall and will henceforth settle and establish himself, herself, or themselves, upon the said Piece of Land hereby demised; And also that he, she, they, or some or one of them, shall and will, within
Years from the Date of these Presents, bring, or cause or procure to be brought into a state of Cultivation
Part of the said demised Land, and thenceforth continue the same in such State. And further, that the said Executors, Administrators, and Assigns, shall and will from time to time, and at all times during the said Term, contribute in a due Proportion to the Expense of all Public Establishments, whether of an Ecclesiastical, Civil, Military, or other Nature, which shall or may be formed under the Authority of the Charter given and granted by his late Majesty King Charles the Second, to the said Governor and Company, and their Successors, for the Regulation of the Settlement or Settlements upon the Land so conveyed to the said deceased Thomas Earl of Selkirk as aforesaid, especially in or towards the Making and Repairing of Public Roads and Bridges. And further, that the said Executors, Administrators, Assigns, or other Person or Persons deriving Title by, from, through, or under him, them or any of them, shall not at any time or times during the said Term, Distil, or cause or procure to be Distilled, Spirituous Liquors of any Nature or Kind soever, upon the Land hereby demised, nor upon or within any Part of the Land or Territory so conveyed to the said deceased Thomas Earl of Selkirk as aforesaid, nor shall any other Person or Persons whomsoever, at any time or times during the said Term, Distil any such Spirituous Liquors upon the said Land hereby demised, or any Part thereof. And further that the said
shall not, nor shall any Person or Persons, deriving Title by, from, or under him at any time or times during the first
Years of the said Term, Underlet, Assign or otherwise Alienate or Dispose of the Land hereby demised, or any Part thereof, for all or any Part of the said Term, without the Consent in Writing of the said first Parties to these Presents, or their Assigns; or the Heirs, or Assigns, of the said deceased Thomas Earl of Selkirk, in that behalf first had and obtained.

And it is hereby lastly agreed by and between the said Parties to these Presents, that if the said

Executors, Administrators, Assigns, or other Person or Persons deriving Title by, from, through, or under him, them, or any of them, shall not register, or cause these Presents, and also every subsequent Conveyance, Assignment, or Lease of the hereby demised Premises, or of any part thereof, to be registered in the Register of the said Colony, kept at *Fort Douglas* on the Banks of Red River aforesaid, or where the said Register of the said Colony shall be kept at the time, or shall not well and truly observe, perform, fulfil, and keep all and every the Conditions and Agreements hereinbefore contained, then and in such case the said first Parties to these Presents, or their Assigns, or the Heirs or Assigns of the said deceased Thomas Earl of Selkirk, shall or may Enter upon any Part of the Land hereby demised, and from and after such Entry made, the said Term of One Thousand Years, and these Presents, shall cease and be void. In Witness whereof, the said Parties to these Presents have hereunto set their Hands and Seals, the Day and Year first above written.

Signed, Sealed, and Delivered, in the Presence of

[Endorsed]

SCHEDULE, NO. 1.

An Abstract of the several Conditions expressed in a certain Grant or Feoffment, wherein The Governor and Company of Adventurers of England trading into Hudson's Bay gave, granted, enfeoffed, and confirmed to Thomas Earl of Selkirk certain Lands, situated within the Boundaries of the Plantation or Colony in North America, called Rupert's Land, which was granted to the said Company by Royal Charter in the Reign of Charles II.

First. That the said Earl of Selkirk, his Heirs, or Assigns, or any other Person or Persons deriving, Title by from, through, or under him, them, or any of them, shall not, nor will, at any time or times hereafter, in or by any direct or indirect, mediate or immediate manner, ways or means, infringe or violate, or set about or attempt to infringe or violate, or aid, assist, or abet, or set about, or attempt to aid, assist, or abet. or supply with Spirituous

Liquors, Trading Goods, Provisions, or other Necessaries, any Persons or Person whomsoever, corporate or incorporate, or any Prince, Power, Potentate, or State whatsoever, who shall infringe, or violate, or who shall set about, or attempt to infringe, or violate the exclusive Rights, Powers, Privileges, and Immunities of Commerce, Trade, and Traffic, or all, or any other of the exclusive Rights, Powers, Privileges, and Immunities of or belonging, or in any wise appertaining to, or held, used, or enjoyed, by the said Governor and Company, and their Successors, and particularly such Rights, Powers, Privileges, and Immunities, as they are entitled to under, or by virtue, of, or which were given and granted, or intended to be granted to them, or their Successors, by the Charter of his late Majesty King Charles the Second, bearing date on or about the 2nd Day of May, in the Year 1669, (save and except such Rights, Powers, Privileges, Immunities, and Franchises, as are incident to the Land thereby granted, or any Part or Parcel of the same, without the License or Consent of the Governor of the said Company, and their Successors for the time being, for that purpose first had and obtained.

Secondly. That the said Earl of Selkirk, his Heirs, or Assigns, or any Person deriving Title by, from, through, or under him, them, or any of them, shall not, in any manner, without such License or Consent as aforesaid, carry on, or establish, or attempt to carry on, or establish, in any Parts of North America, any Trade or Traffic, in, or relating to any kind of Furs or Peltry, or in any manner directly or indirectly aid, or abet any Person or Persons in carrying on such Trade or Traffic, or in any manner (otherwise than as thereinafter mentioned) navigate, or traffic, or assist in navigating, or trafficking upon, or within any of the Seas or Waters within Hudson's Streights aforesaid, or unlawfully enter into, or trespass upon any part of the Land or Territories belonging to the said Governor and Company, and their Successors, in or at Rupert's Land aforesaid, not thereby granted.

Thirdly, That the said Earl of Selkirk, his Heirs, and Assigns, and all, and every the Person and Persons whomsoever, claiming or deriving Title by, from, through, or under him, them, or any of them, as Lessee or Lessees, or otherwise,

shall, and may convey any produce of Rupert's Land aforesaid, save and except the Furs or Skins of Beavers, and other animals of a wild and untamed nature,) to Port Nelson, in Hudson's Bay, and to commit, send, and consign the same to the Port of London, to be there disposed and lodged in the Warehouses belonging to, or to be from time to time appointed by the said Governor and Company, and their Successors, and in like manner to import, bring, and convey into the said Land and Territories, called Rupert's Land, any Goods, Wares, Merchandise, or Commodities of any Kind, Nature, or Description whatsoever as well manufactured as unmanufactured for the Use, Convenience, and Consumption of the Persons being or residing within the limits of the Lands thereby granted, and to sell, barter and exchange, or otherwise dispose of the same, at his and their Will and Pleasure.

Fourthly, That the said Produce, Goods, Wares, Merchandises and Commodities shall be conveyed to and from Port Nelson in Ships or Vessels, to be from time to time provided by the said Governor and Company, and their Successors, in pursuance of the Agreement in that behalf therein after mentioned.

Fifthly, That the said Governor and Company, and their Successors, shall and may claim, and shall be paid and allowed by the Owner or Proprietor, or Owners or Proprietors of the said Produce, Goods, Wares, Merchandises, and Commodities, all Charges as and for and in the nature of Quayage, Wharfage, Warehouse Room, and Commission for Sale, which shall be, or constitute the Average or ordinary Price or Prices in similar cases, together with such Charge for Freightage as shall at the time or respective times be paid, or payable for Vessels navigating between the Ports of London and Quebec, or at or for such rates of Freight as Vessels can or may be Chartered between London and Hudson's Bay, and the said Governor and Company, shall and may also charge, and shall be paid and allowed for the License thereby given and granted to and for the purposes therein after mentioned as in the nature of a Custom or Duty, any sum not exceeding £5 for and upon every £100 in Value or Amount of the Produce, Goods, Wares, Merchandise, and Commodities, which shall or may be con-

veyed to or from Port Nelson aforesaid, and so in proportion for a less Quantity in Value or in Amount than £100, unless the same kind of Produce, Goods, Wares, Merchandises, and Commodities, shall be subject to a higher Rate of Duty on Importation at Quebec, and then in cases of Importation the said Governor and Company, and their Successors, shall and may charge, and shall be paid and allowed at and after the same Rate as shall be paid or payable at Quebec, such Value or Amount to be from time to time fixed and ascertained in all cases of Imports by and upon the actual and *bonâ fide* Invoice Prices, and in all cases of Exports by the Net Proceeds of Sales at London.

SCHEDULE NO. 2.

ABSTRACT of Orders and Regulations to be observed by Settlers, now and hereafter to be Settled on the Lands contained in the said Grant by the said Governor and Adventurers Trading into Hudson's Bay.

That the Settlers shall at proper Seasons in every Year, use their endeavours for making and repairing the Public Roads and Highways, and shall be chargeable therewith, as followeth, that is to say, each Settler shall employ himself, his Servants, Horses, Cattle, Carts, and Carriages and other things necessary for the purpose, on every day, and every place, to be appointed by the Surveyor or Overseer, for making or amending the Public Roads and Highways, not exceeding at and after the rate of Six days in every Year, to be computed from Michaelmas to Michaelmas.

That the Settlers shall use their endeavours for the Benefit and Support of the Clergyman, and shall be chargeable therewith as followeth, that is to say, each Settler shall employ himself, his Servants, Horses, Cattle, Carts, Carriages, and other things necessary for the purpose, on every day and at every place to be appointed by the Clergyman to whom or whose Communion he shall belong, not exceeding at and after the rate of Three Days in the Spring, and Three Days in the Autumn of each Year.

That the Settlers shall in the like manner use their endeavours for the Defence and internal Peace of their Settlement, and shall be chargeable therewith according to the Laws and Regulations now in force in Canada and Nova Scotia, or

such Laws and Regulations as shall from time to time be made by competent Authority.

Charles Bouché hereby binds himself upon oath to conform to any orders or regulations connected with the welfare, prosperity and good government of the Red River Settlement that may from time to time be issued by the Governor of Assiniboia or his Council, as also by the Governor of the Northern Department of Rupert's Land, or the Chief Factor or Principal officer for the time being in charge of the said Honourable Hudson's Bay Company's affairs at Fort Garry—also that he shall on all occasions hold himself in readiness to assist and act when required in the preservation of the peace and in suppressing any attempt that may be made by ill disposed persons to the contrary and voluntarily give such information to the proper authorities as comes within his knowledge affecting the tranquillity of the Settlement.

6. 'One Pepper Corn' Deed of Land and Mortgage 1855.

THIS INDENTURE made the *Twenty Eighth* day of *February* in the Year of our Lord One Thousand Eight Hundred and Fifty-five between the Governor and Company of Adventurers of England, trading into Hudson's Bay of the one Part and Edward Mowat of Red River Settlement, Settler of the other Part.

WHEREAS the said Edward Mowat is desirous of becoming a Settler upon the Land hereinafter described or intended so to be, being certain Part of a Territory in North America, belonging to the said Governor and Company, and held under the Crown by Charter. NOW THEREFORE, THIS INDENTURE WITNESSETH, that in consideration of the sum of Forty Seven Pounds, Ten Shillings, Sterling, heretofore by the said grantee paid to the said grantors and the receipt whereof is hereby acknowledged, and in consideration also of the Covenants hereinafter contained on the part of the said Edward Mowat they, the said Governor and Company, do hereby Grant, Demise, and Lease unto the said Edward Mowat, his Executors, Administrators, and Assigns, ALL THAT Piece or Parcel of Land, being Eight chains and a half frontage of Lot No. 494, as described at large in the Official Survey of Red River Settlement, and containing, more or less, One Hundred and Forty-three English Acres, with the necessary appurtenances thereto, TO HAVE

AND TO HOLD the said Piece or Parcel of Land hereby demised or intended so to be, and every part thereof with the appurtenances unto the said Edward Mowat, his Executors, Administrators, and Assigns, from the Day next before the Day of the Date of these Presents, and for and during and unto the full term of One Thousand Years, thence next ensuing; Yielding and paying therefore Yearly and every Year, during the said Term, and upon the Michaelmas Day in each Year, the Rent or Sum of One Pepper-corn, the first Payment whereof to be made upon the Twenty-ninth Day of September next ensuing the Date hereof. AND the said Edward Mowat, for himself, his Heirs, Executors, and Administrators, doth hereby covenant and agree with the said Governor and Company, in manner following, that is to say, That he the said Edward Mowat shall or will settle and establish himself or themselves and continue to reside upon the said hereby demised Land, and shall or will within Five Years from the Date of these Presents, bring, or cause or procure to be brought into a State of Cultivation a portion of the said hereby demised Land, and thenceforth continue the same in such state. AND that, during the said, term, he the said Edward Mowat, his Executors, Administrators, and Assigns shall not, directly or indirectly, mediately or immediately, violate or evade any of the chartered or licensed privileges of the said Governor and Company, or any restrictions on trading or dealing with Indians or others, which have been, or may be, imposed by the said Governor and Company or by any other competent authority, or in any way enable any Person or Persons to violate or evade, or to preserve in violating or evading, the same, and in short shall obey all such Laws and Regulations, as within the said Settlement now are, or hereafter may be, in force, for preventing the Distillation of Spirits, for preserving Internal Peace, for repelling foreign aggression, for making and repairing Roads and Bridges, and for encouraging and promoting general Education and Religious Instruction. AND that he the said Edward Mowat, his Executors, Administrators, or Assigns, shall or will from time to time, and at all times during the said Term, contribute in a due proportion to the Expenses of all such Public Establishments as by the said Governor and Company, or by the Governor and Council of Assiniboia, may be deemed necessary. AND also that he the said Edward Mowat, his Executors, Administrators, and Assigns shall not, nor will, without the license

or consent of the said Governor and Company for that purpose first obtained, carry on or establish, or attempt to carry on or establish in any Parts of North America subject to the jurisdiction of the said Governer and Company, any Trade or Traffic in or relating to any kind of Furs, nor in any manner directly or indirectly aid or abet any Person or Persons in carrying on such Trade or Traffic; nor shall nor will at any time or times during the said Term, Distil, or cause or procure to be Distilled, Spirituous Liquors of any Nature or Kind soever, either upon the Land hereby demised, or within any other Part of the Territories belonging to the said Governor and Company in North America, nor during the said Term, knowingly suffer or permit any other Person or Persons whomsoever, to Distil any such Liquor upon the said demised Land or any Part thereof. And also that he the said Edward Mowat, his Executors, Administrators, or Assigns, shall or will, within Six Calendar Months from the date thereof, as to these Presents, and within Six Calendar Months, from the date of each respective Assignment or Under-lease, to be made under or through these Presents; and with respect to each such Assignment and Under-lease respectively, cause these Presents and every such Assignment or Under-lease, when made, to be Registered in the Register of the said Territories in North America, or of the District in which the said hereby demised Land shall be situate, and wherever such Register shall be kept at the time. Provided always, nevertheless, and it is hereby declared and agreed, that if the said Edward Mowat, his Executors, Administrators, or Assigns, shall not in all things well and truly observe and perform all and every the Covenants and Agreements herein contained, on his and their behalf to be observed and performed, Then, and in either of such cases, and either upon or after the first breach, or any subsequent breach or breaches of Covenant, and as to any subsequent breach or breaches, notwithstanding there may have been any Waiver or Waivers, or supposed Waiver or Waivers thereof, by the acceptance of Rent or otherwise, it shall or may be lawful to and for the said Governor and Company, and their Successors or Assigns, to enter into and upon the said hereby demised Premises, or any part thereof, in the name of the whole thereof, and to have, hold, retain, and enjoy the same as in their former state, and also to put an end to, and determine the said term of One Thousand Years, or so much thereof, as shall be then

unexpired, and all and every Person or Persons then occupying the same Premises, or claiming Title thereto, to put out and amove any thing hereinbefore contained to the contrary notwithstanding. IN WITNESS whereof, the said Parties to these Presents have hereunto set their Hands and Seals, the Day and Year first above written, at Red River Setttlement aforesaid.

Signed, Sealed, and Delivered,
in the Presence of

EDWARD MOWAT.

W SAGAN,
Clerk, H. B. Service.

JOHN BALLENDEN,
C. F. and Agent,
North H. Bay Co.

[Endorsed]

This writing by way of mortgage made this Twenty Eighth day of February, in the Year One Thousand Eight Hundred and Fifty-five, between the Governor and Company of Adventurers of England, trading into Hudson's Bay, of the one Part, and Edward Mowat of the other Part, witnesseth. That whereas, there remains due and owing by the said Edward Mowat to the said Company, the sum of Thirty-five Pounds, Fifteen Shillings Stg., say, £35, 15s., being the balance of the consideration money therein mentioned, he the said Edward Mowat hereby specially mortgages all the written described parcel or lots of Land, and appurtenances to and in favour of the said Company for the payment and satisfaction of the said sum of £35, 15s., so remaining due as aforesaid, by privileges and preference to all other claims or encumberances, whatsoever, and to all other Persons whomsoever.

Signed, Sealed, and Delivered,
in the Presence of

JOHN BALLENDEN.

7. *Extract from Minutes of Meeting of the Governor and Council of Rupert's Land, held at River Settlement,* 10 *June,* 1845.[1]

Resolved, 1. THAT, once in every year, any British subject, if an actual resident, and not a fur trafficker, may import, whether from London or from St.Peter's, stores free of any duty now about to be imposed, on declaring truly that he has imported them at his own risk.

[1] Report of Select Committee on H. B. Co., 1857, p. 373.

2. That, once in every year, any British subject, if qualified as before, may exempt from duty, as before, imports of the local value of ten pounds, on declaring truly that they are intended exclusively to be used by himself within Red River Settlement, and have been purchased with certain specified productions or manufactures of the aforesaid settlement, exported in the same season or by the latest vessel at his own risk.

3. That, once in every year, any British subject, if qualified as before, who may have personally accompanied both his exports and imports, as defined in the preceeding Resolution, may exempt from duty, as before, imports of the local value of 50*l.*, on declaring truly thta they are either to be consumed by himself, or to be sold by himself to actual consumers within the aforesaid settlement, and have been purchased with certain specified productions or manufactures of the settlement, carried away by himself in the same season or by the latest vessel at his own risk.

4. That all other imports from the United Kingdom for the aforesaid settlement, shall, before delivery, pay at York Factory a duty of 20 per cent. on their prime cost, provided, however, that the Governor of the settlement be hereby authorized to exempt from the same all such importers as may, from year to year, be reasonably believed by him to have neither trafficked in furs themselves since the 8th day of December, 1844, nor enabled others to do so by illegally or improperly supplying them with trading articles of any description.

5. That all other imports from any part of the United States shall pay all duties payable under the provisions of 5 and 6 Vict. c. 49, the imperial statute for regulating the foreign trade of the British possessions in North America; provided, however, that the Governor-in-Chief, or, in his absence, the President of the Council, may so modify the machinery of the said Act of Parliament as to adapt the same to the circumstances

7. That henceforward no goods shall be delivered at York Factory to any but persons duly licensed to freight the same, such licenses being given only in those cases in which no fur trafficker may have any interest direct or indirect.

8. That any intoxicating drink, if found in a fur trafficker's possession, beyond the limits of the aforesaid settlement, may be seized and destroyed by any person on the spot.

Whereas the intervention of middlemen is alike injurious to the Honourable Company and to the people; it is Resolved,

9. That henceforth furs shall be purchased from none but the actual hunters of the same.

Fort Garry, 10 July, 1845.

8. Petition of Inhabitants and Natives of the Settlement situated on the Red River, in the Assiniboin Country, British North America.[1]

To the Honourable the Legislative Assembly of the Province of Canada, in Parliament assembled.

The Petition of the undersigned Inhabitants and Natives of the Settlement situated on the Red River, in the Assiniboine Country, British North America,

Humbly showeth,

That many years ago a body of British emigrants were induced to settle in this country under very flattering promises made to them by the late Earl of Selkirk, and under certain contracts.

All those promises and contracts which had led them to hope that, protected by British laws, they would enjoy the fruits of their labour, have been evaded.

On the coalition of the rival companies, many of us, Europeans and Canadians, settled with our families around this nucleus of civilization in the wilderness, in full expectation that none would interrupt our enjoyment of those privileges which we believe to be ours by birthright, and which are secured to all Her Majesty's subjects in any other British colony.

We have paid large sums of money to the Hudson's Bay Company for land, yet we cannot obtain deeds for the same. The Company's agents have made several attempts to force upon us deeds which would reduce ourselves and our prosterity to the most abject slavery under that body. As evidence of this we append a copy of such deeds as have been offered to us for signature.

Under what we believe to be a fictitious charter, but which the Company's agents have maintained to be the fundamental law of 'Rupert's Land,' we have been prevented the receiving in exchange the peltries of our country for any of the products of our labour, and have been forbidden giving peltries in exchange for any of the imported necessaries of life, under the

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[1] Report of Select Committee on H. B. Co, 1857, p. 437-439.

penalty of being imprisoned, and of having our property confiscated; we have been forbidden to take peltries in exchange even for food supplied to famishing Indians.

The Hudson's Bay Company's clerks, with an armed police, have entered into settlers' houses in quest of furs, and confiscated all they found. One poor settler, after having his goods seized, had his house burnt to the ground, and afterwards was conveyed prisoner to York Factory.

The Company's first legal adviser in this colony has declared our navigating the lakes and rivers between this colony and Hudson's Bay with any articles of our produce to be illegal. The same authority has declared our selling of English goods in this colony to be illegal.

On our annual commerical journeys into Minnesota, we have been pursued like felons by armed constables, who searched our property, even by breaking open our trunks; all furs found were confiscated.

This interference with those of aboriginal descent had been carried to such extent as to endanger the peace of the settlement.

Thus we, the inhabitants of this land, have been and are constrained to behold the valuable commercial productions of our country exported for the exclusive profit of a company of traders who are strangers to ourselves and to our country.

We are by necessity compelled to use many articles of their importation, for which we pay from one hundred to four hundred per cent. on prime cost, while we are prohibited exporting those productions of our own country and industry, which we could exchange for the necessaries of life.

This country is governed and legislated for by two distinct Legislative Councils, in constituting of which, we have no voice, the members of the highest holding their office of councillors by virtue of rank in the Company's service. This body passes laws affecting our interest; as, for instance, in 1845 it decreed that 20 per cent. duty would be levied on the imports of all who were suspected of trading in furs; this duty to be paid at York Factory. Again, in 1854, the same body passed a resolution imposing 12½ per cent. on all the goods landed for the colony at York Factory.

The local legislature consists of the Governor, who is also judge, and who holds his appointments from the Company: they are appointed by the same body, and are, with one or two

exceptions, to a greater or less extent dependent on that body. This Council imposes taxes, creates offences, and punishes the same by fines and imprisonments, (*i.e.*) the Governor and Council make the laws, judge the laws, and execute their own sentence. We have no voice in their selection, neither have we any constitutional means of controlling their action.

Our lands are fertile, and easily cultivated, but the exclusive system of the Hudson's Bay Company effectually prohibits the tiller of the soil, as well as the adventurer in any other industrial pursuit, from devoting his energies to those labours which, while producing to the individual prosperity and wealth, contribute to the general advantage of the settlement at large.

Under this system our energies are paralysed, and discontent is increasing to such a degree, that events fatal to British interest, and particularly to the interest of Canada, and even to civilization and humanity, may soon take place.

Our country is bordering on Minnesota territory: a trade for some years has been carried on between us. We are there met by very high duties on all articles which we import into that territory, the benefits of the Reciprocity Treaty not being extended to us. Notwithstanding this, the trade has gone on increasing, and will continue to do so; we have already great cause to envy those laws and those commercial advantages which we see enjoyed by our neighbours, and which, wherever they exist, are productive of prosperity and wealth.

As British subjects, we desire that the same liberty and freedom of commerce, as well as security of property, may be granted to us as is enjoyed in all other possessions of the British Crown, which liberity is become essentially necessary to our prosperity, and to the tranquillity of this colony.

We believe that the colony in which we live is a portion of that territory which became attached to the Crown of England by the Treaty of 1763, and that the dominion heretofore exercised by the Hudson's Bay Company is an usurpation antagonistic to civilization and to the best interests of the Canadian people, whose laws being extended to us, will guarantee the enjoyment of those rights and liberties which would leave us nothing to envy in the institutions of the neighbouring territory.

When we contemplate the mighty tide of immigration which has flowed towards the north these six years past, and has already filled the valley of the Upper Mississippi with settlers,

and which will this year flow over the height of land and fill up the valley of the Red River, is there no danger of being carried away by that flood, and that we may thereby lose our nationality? We love the British name! We are proud of that glorious fabric, the British Constitution, raised by the wisdom, cemented and hallowed by the blood of our forefathers.

We have represented our grievances to the Imperial Government, but through the chicanery of the Company and its false representations we have not been heard, and much less have our grievances been redressed. It would seem, therefore, that we have no other choice than the Canadian plough and printing press, or the American rifle and Fugitive Slave law.

We, therefore, as dutiful and loyal subjects of the British Crown humbly pray that Your Honourable House will take into your immediate consideration the subject of this our petition, and that such measures may be devised and adopted as will extend to us the protection of the Canadian Government, laws and institutions, and make us equal participators in those rights and liberties enjoyed by British subjects in whatever part of the world they reside.

Wherefore, your petitioners will ever pray.

RODERICK KENNEDY,
and 574 others.

9. Letter from W. G. Smith, Esq., to Major Caldwell, Governor of Assiniboia.[1]

Hudson's Bay House, London, 5 April, 1854.

Sir,

I am directed by the Governor and committee to acknowledge the receipt of your several letters, dated 2d and 18th November, and 12th December, with their respective enclosures.

The Governor and committee approve of the appointment of a Board of Works for the purpose of attending to the roads and bridges in the settlement, and are glad to find that the councillors are on the whole working harmoniously, and, they trust, beneficially, to the interests of the inhabitants.

They note your wish for the appointment of a good surveyor, and have desired Sir George Simpson to look out for a

[1] Report of Select Committee on H. B. Co., 1857, p. 437.

suitable person in Canada; but it is doubtful whether he will succeed in obtaining one this season.

The Governor and committee trust that the course you pursued with the five deserters from the service of the fur trade will have a good effect in preventing such conduct in future.

The Minutes of Council held on 18th of October and 8th December are approved of.

With respect to your inquiry as to the competency of the Court of Assiniboin to adjudicate in civil cases exceeding the amount of 200*l.*, I am to inform you that that court being held under the authority of the charter within the limits of Rupert's Land, its powers are not restricted as to the amount upon which adjudication may be made, the rights held under the charter being reserved by the last clause of the Act Geo. 4, c. 66.

I am also directed to inform you, with reference to the petition of the Presbyterian congregation of Red River, that neither the Governor and Council of Assiniboin, nor the Governor and committee of the Hudson's Bay Company, have the power of incorporating any body of men for any purpose whatever. The property held by the Presbyterian congregation must therefore be vested in trustees, as it is at present; and you will be pleased to communicate this to the parties interested.

Mr. F. G. Johnson, Q.C., of the Montreal Bar, who has been appointed recorder of Rupert's Land, assessor and legal adviser to the Governor of Assiniboin, and to the Company, will proceed by the spring canoes to Red River, and will assume the law library now in the possession of Mr. Thorn.

From the accounts they have had of Mr. Johnson's ability and disposition, the Governor and committee have every expectation that he will act cordially with you for the general benefit of the settlement under your charge.

The account you give of the abundant supply of agricultural and plain provisions is very satisfactory; and, trusting that nothing may occur to disturb the peace and prospects of the settlement.

I have, &c.,

(signed) W. G. SMITH,

Assistant Secretary.

10. Memorial of Bishop Anderson to the Hudson's Bay Company, 1856.[2]

To the Governor and Committee of the Honourable Hudson's Bay Company.

Gentlemen,

On my first appearance at your Board after my return, you were kind enough to ask me to prepare a memorial, containing any suggestions regarding the condition of that country in which we have a common interest. The subject has been very often on my mind since, and constant occupation has alone prevented me from complying sooner with your request

It is indeed difficult to advance any general propositions regarding the territory, from the entire difference of condition of the Red River Settlement and that of the country at large. And yet, if Rupert's Land is to rise, it must be from encouragement given to the Settlement. Now, the one barrier which most retards its progress would be the want of direct approach, except on the side of the United States.

Would it not be possible to improve in any way the navigation from York Fort to Lake Winnipeg, or to open a more direct communication from Lake Superior to the Red River? The condition of some of the Rapids is certainly very dangerous on the way from Norway House. An outlay comparatively small might remedy some of these, so as to facilitate the importation of English goods. A survey too of the land intervening between Fond du Lac and the Settlement might open up the other route, with perhaps even a smaller risk.

My own feeling is strong that the country will now admit of immigration, if conducted on a wise and cautious scale. Artisans and tradesmen are certainly required at the present time at the Red River. If a small number of carpenters, masons, and blacksmiths could gradually be sent out by the Honourable Company furnished with a free passage, it would raise the character of the population and lead to the foundation of special trades. If not conveyed out from Britain, they will soon find their way across from the United States.

Perhaps some young men could be found to go out in such capacities from industrial schools, and the Home Government

[1] Report of Select Committee on H. B. Co., 1857, 237-239.

might be induced to contribute towards sending them out in the first instance, if grants of land were held out to them in prospect, after a certain period of residence in the territory.

Another settlement might surely be attempted, in addition to the solitary one at Red River. As occupying an intermediate position between it and Canada, the spot indicated by Sir G. Simpson, between Lac la Pluie and the Lake of the Woods, might be selected. If the Company were willing to extend some assistance annually towards such an object, I should be glad to promise a clergyman and a schoolmaster. Such a measure would manifest an earnest desire for the welfare of the Indian, and that large population over which the Company bears rule.

I have to express my obligation for much valuable aid which has been rendered to me by your Board and the Council of Rupert's Land in the erection of churches and other ecclesiastical matters. More especially, I have to thank the Company for undertaking to build at their own cost the churches at Moose and at York, now in progress. On this head I have but one petition to present, which concerns my own cathedral, to be commenced immediately on my return. Might I ask from the Honourable Company a grant of 500*l.* towards that object, to be paid in two annual instalments? The Society for Promoting Christian Knowledge have granted me such a sum, and I trust that the Company will not be unwilling to contribute the like amount to that church, which will be the mother church of all the churches of the land. Of the need of such a building, instead of the present church of St. John's, Sir G. Simpson is well aware, as he is also of the difficulties which will attend the undertaking. When standing on the spot this summer, Sir George himself recommended me to take out an architect or a contractor of a better description from England with me.

I have to request a passage to Moose Fort by the 'Prince Arthur' for Mr. Fleming, of the Church Missionary Society. He goes out to assist the Rev. John Horden, as the Rev. E. C. Watkins will now be removed towards the Saskatchewan.

I can scarcely expect the Company to add to our clerical staff and yet I should feel it a great relief if they could increase the salary of their own chaplain, the Rev. J. Chapman, after seven years' service, to 200*l.* per annum, as the 50*l.* in addition to their 150*l.* falls entirely on myself.

In education I gratefully acknowledge the 100*l.* still continued to the Red River Academy, and now devoted to the

Academy for young ladies at St. Cross. The matter which weighs at times heavily on my mind in this department would be the thought of so many at some forts without any education afforded them, as, for instance, at Fort Carlton. If a schoolmaster could be appointed at such leading spots as Carlton, Albany, Lac Seul, the Company bearing half the expense and the church the remaining half, it would be a mighty lever for elevating and improving the land. It would be a source of great pleasure to me if the Company would sanction such a proposal, even for four or five of the principal forts.

Such matters are more under my own cognizance than the details of the social and political economy. I cannot, however, refrain from saying, that I deem the present tariff on goods at York, at the Red River, and up the country, higher than can be justified on the usual principles of commerce. I only mention this as a subject for the consideration of the Board, as a point which I feel it difficult to account for when called upon to do so in public.

The Indian Tariff might, I have always thought, be somewhat more equalized over the country. An identity of price for furs is not, of course, to be expected but a greater equality of price might, I am sure, prevail with great advantage when two forts are so near as Fort Alexander and the Red River, or even Cumberland and Norway House. In saying this, I must, however, profess an entire ignorance of such concerns, having always purposely abstained from entering into them. Of the general fact I am of necessity conscious, and merely on that account would plead, as I am in duty bound, on behalf of the poor Indian, who has often represented to me his condition, and begged me to undertake his cause.

On the general question of the trade of the country, I subjoin an extract from a letter received since my return to England from one formerly in my own diocese, but now in that of Toronto, who is a shrewd and acute observer of passing events, and whose name will at once suggest itself to many of the committee, and which tends to corroborate many of the views given in the above memorial.

Referring to the agitation in Canada on the subject of the charter, the writer observes—

'After four years' residence in Canada, my own opinions are unchanged as to the evils that would follow free trade in furs. It would doubtless enable unscrupulous adventurers to make money in the southern part of the territory. Rum would

be largely used, and the Indians greatly demoralized, and difficulties consequently thrown in the way of missionary operations. I never hesitate to express my opinion to that effect whenever I am asked what I think of the movement.

'The Company will moreover have to relax their system. It is useless to attempt keeping things as they were 100 years ago. All the southern part of the territory susceptible of improvement will have to be given for agricultural purposes. A large portion of Rainy Lake district, and of Swan River and the Saskatchewan districts, together with the Red River, will ultimately fill up with settlers. As Minnesota fills up, settlements are sure to extend north of the boundary line.'

My opinion, expressed to all, after the experience of seven years, would be that to throw open the trade to free competition would tend to the speedy ruin of the Indian. My own desire and endeavour would be to raise and rescue them as a people, and to prepare them to be able to stem the current when civilization, as it gradually must, spreads westward from Canada over this mighty territory.

As regards the sale of spirituous liquors to the Indians, I rejoice to find that measures are about to be taken for their entire or partial disuse in the course of this year. That they can be brought to an end at once is scarcely possible, from the growing facilities of importation from the United States, but the example on the part of the Honourable Company (if the plan mentioned to me by Governor Johnson shall be carried out) would be productive of the best consequences. The chief difficulty to my own mind has always been the entire disuse of spirits along vast tracts of the country, as in the Moose and Albany districts, and their use in other quarters. That the custom of distributing spirits to the Indians, when coming in large bodies to the forts, is often attended with fatal consequences I am aware from actual knowledge and very earnestly would I entreat that some substitute be made—a gift of tea, or any other thing prized by the Indian—instead of that which ruins so often both body and soul. In making this appeal, I speak in the name of all my own clergy, and also in the name of the Rev. J. Black, of the Presbyterian communion, who, in a special letter sent after me, besought me to use any influence in my power to remedy this crying evil. My belief is, that if the Company gives up the practice, the free traders will be led immediately to discontinue it. At least, I think I may answer for the Protestant population.

Such are a few of the leading points to which my attention has been chiefly called, given in a more desultory shape than I could have wished, from the constant pressure of engagements. Others may occur to me during my stay, which I should at once state to the Board, with the same frankness and openness as on the present occasion. If any matters admit of easier explanation by word of mouth, I would again wait upon the Company at one of their subsequent meetings.

The committee will, I am sure, give me credit for a sincere and earnest desire for the best interests of the country. That desire we feel, I trust, in common, and our anxiety would be to promote any measures which might be proved to have a beneficial tendency. In looking back upon seven years, the progress has in many things surpassed my expectations, but when I look towards Canada and the United States, I am disappointed that there is not more of perceptible growth. I know, however, the peculiarities of the land, and I should not like to witness any rapid changes. My prayer and earnest wish would be, that the Company might be led to devise some changes which might at once be sound and salutary, and in accordance with the spirit of the present age; such as may tend to the good of all committed to their care, whether Europeans or Indians; their temporal advantages in the present world, and their higher interest as immortal beings, to be trained for another and an unending state.

Commending these remarks to your candid and favourable consideration,

I have, &c.,

11. Statement of Articles imported by the Hudson's Bay Co. to Red River Settlement, Ot., 1858, on which 4 p cent, duty is payable to the Govr. & Coun. of Assiniboia, vt.[1]

—	$ cts.	$ cts.	£ s. d.	£ s. d.
Part of invoice of Prince of Wales $\frac{57}{R.R}$ remaining in depot at Y.F. June 1, 1857				14,550 9 3¾
Invoice of Prince of Wales $\frac{58}{R.R}$			23,961 13 3½	
Less remaining at Y.F			19,299 3 5	
				4,662 9 10½
Exempt from Import Duty.				
Amount of goods from Y.F. stores p. R.R. District outfit 1858. Less charges.			128 13 7	
Less ⅓ being Y.F. advance			32 3 6	
				96 10 1
Amount of goods from Lachine		1,393 61		
Less charges and Lachine advance 10%		$ 138 51	1,255 10 ..	
				256 5 ..
Amount of goods rec'd via St. Paul's from England.			2,576 19 4	
St. Paul	$1,026 00			
New York	2,188 72	3,214 72	656 6 10	
				3,233 6 2
Amount of goods imported from England by H. B. Co's officers and servants—				
Wm. Mactavish			33 6 ..	
Alexr. R. Lillie			8 10 ..	
J. Fortescue			6 6 2	
M. Linklater			23 12 ..	
James Stewart			12 12 ..	
				84 6 2
Amount of goods imported from Y.F. by H.B. Co's officers and servants—	£ s. d.			
Bridgeman, Orlando	3 18 9			
Fortescue, Joseph	1 11 8			
Lane, William	6 4 3			
Lillie, Alexander	6 7 6			
McKenzie, James B.	6 14 6			
Baillie, William	21 14 2			
Carrière, Louis	8 12 6			
Davis, George	12 17 8			
Deboos, George	4 16 6			
Gibeault, Belonie	11 7 7			
Jansen, Martin	3 7 1			
McKay, James B.	5 6 11			
McLean, Donald	7 2 11			
Stewart, James B.	2 17 8			
			102 19 8	
Less ⅓ for Y.F. advance			34 6 7	
				68 13 1
				22,951 19 7¾

[1] Original Document in possession of editor.

11. Statement of Articles imported by the Hudson's Bay Co. to Red River Settlement Ot. 1858 on which 4 p. Cent duty is payable to the Govr. & Coun. of Assiniboia, vt.[1]—Con.

——	$ cts.	$ cts.	£ s. d.	£ s. d.
Less the following—				
Supplied Portage Boats at Norway House out of R.R. Import, 1857—				
26 prs. sheeting trousers, 2/11½	.....	.....	3 16 11	
14 prs. beaverteen trousers 5/4....	.....	.....	3 14 8	
10 grey capots 4 Ells 2/10	. .....	..... .	6 8 4	13 19 11
				£22,938 19 8¾

Amount of Import Duty chargeable on this statement, say 4 p. cent on £22,937 19s. 9d. stg. is £917 10s. stg.

All articles exempt from duty are remaining at Y.F. and will be deducted from next year's scheme.

E. E.

Fort Garry Red River settlement, 12th February, 1959.

J. FORTESCUE,
Accountant.

12. Bills of Exchange Governor Mactavish and Chief Factor Clare to Hudson's Bay Company, 1864.[1]

£124—8—4Stg. RED RIVER SETTLEMENT, 3rd June, 1864.

No. 721. Sixty days after sight please pay this my SECOND Bill of Exchange (First same tenor and date not being paid) to the Order of Messrs. A. Pelly & Co., the sum of One Hundred and twenty-four Pounds, Eight Shillings and four pence, Sterling, for value received, with or without further advice and charge the same to account of

Red River District, Outfit, 1864,

W. MACTAVISH.

To

The Governor, Deputy Governor,
and Committee
of
The Honble. Hudson's Bay Co.,
London.

[1] From originals in possession of the Editor

£120—5—2Stg. RED RIVER SETTLEMENT, 1st Dec., 1864.

No. 848. Sixty days after sight please pay this my SECOND Bill of Exchange (First same tenor and date not being paid) to the Order of Messrs. Albert Pelly & Co., the sum of One Hundred and Twenty Pounds, Five Shillings and Two Pence, Sterling, (£120-5-2) for value received, with or without further advice and charge the same to account of

Red River District, Outfit, 1864,

JAMES R. CLARE,
Chief Factor.

To

The Governor, Deputy Governor,
and Committee
of
The Honble. Hudson's Bay Co.,
London.

13. General Enactments of the Governor and Council of Assiniboia Entered both in French and in English.

N.B.—The staple of the following pages is the revised code of July, 1852, which supersedes all local laws down to 30th April, 1851. For subsequent enactments of a general character, a space has been left at the foot of each page. In this way may be provided, from time to time, a complete view, in both languages, of all permanent regulations, without any mixture of extraneous or temporary matter.

LAWS PASSED BY THE GOVERNOR AND COUNCIL OF ASSINIBOIA ON 13TH JULY, 1852.

(Pages 175 and 188 and Page 196) 13th July, 1852.

GENERAL PROVISIONS.

I. All local enactments, not expressly extended farther, shall apply only to that part of the District of Assiniboia which forms the Red River Settlement and its environs.

II. Fines and forfeitures, when not otherwise appropriated, shall go to the public fund.

III. Every regulation shall be interpreted without regard to the distinctions of gender or number.

IV. If any person, in any way, encourage any violation of any local enactment, he shall be held to be as guilty as the principal offender.

V. Unless a special regulation provide to the contrary, every wrong has its remedy under the general law of the country.

1. All local regulations, that were on record on 30th April, 1851, are repealed.

FIRES.

2. If any hay stack, in the open plains, be injured by a running fire, the owner shall not recover damages unless such hay stack has been protected, at a distance of at least thirty yards, by a ploughed ring of at least four feet wide.

3. If between 31st May and 1st December, any person shall kindle a fire intended to run, he shall be fined Ten Pounds, one half to go the prosecutor,—Provided, that the bench may remit the whole fine, if the defendant has both kindled the fire through necessity and done all in his power to prevent it from spreading.

4. If any fire in the open air, which is not intended to run, shall be left burning without due precautions, or be negligently allowed to spread, every person, who may have kindled or fed or used same, shall be fined from Five Shillings to Fifty Shillings.

ANIMALS.

5. If any cattle trespass on enclosed ground, the damages shall be equally divided among the trespassers, which may, moreover, be kept in pledge, till security be given for the payment of such damages, at the cost, to the owner, of sixpence a day each. Provided, that no part of the damages shall fall on any animal which can be proved to have effected an entry through an open gate, or through fencing of less than average strength or height or closeness.

6. If any stallion, rising two years old or upwards, be found at large, the owner shall be fined Twenty Shillings; and the animal himself may be kept in pledge, till security for payment be given, at the rate of sixpence a day.

7. If any ram be found at large between 30th June and 1st November, such ram may be detained by any person, till the owner pay him Two Shillings and Six Pence, for his own use.

8. If, between 31st March and 1st November, any pig be found at large, the owner shall be answerable for all such injury done by pigs, as his pigs, with reference to time and place, could possibly have occasioned, unless he can trace such injury to some other pig or pigs in particular.

HORSE-TAKING.

9. If any person take another's horse, to ride or drive, without consent, he shall be fined one Pound, and shall forfeit all such equipments, of any description, as he may have used in such riding or driving.

HAY.

10. If any settler cut hay behind the two-mile line before 20th July, he shall forfeit the same, or the value thereof.

An exclusive privilege of cutting hay between the two-mile and the four-mile line shall be forfeited, for the season, as soon as the party entitled shall cut hay beyond the four-mile line; and, at all events, all such exclusive privileges shall be thrown open to all after 31st August.

12. If any settler trespass wilfully on another's hay ground, he shall forfeit the proceeds, whether in kind or in value, for the benefit and satisfaction of the party injured, without receiving any allowance for his labour; but, if he trespass in ignorance, he shall still forfeit as before, though not without compensation for his time.

ROADS, &C.

13. The main highway shall be two chains wide.

14. Any other actual thoroughfare may be repaired or improved as a public path, but not till all the parties interested in the soil shall have consented to leave unoccupied, from time to time, one uniform breadth, so as to provide against the encroachments of the river, or any other similar influences.

15. Any person who may dig a hole through the entire thickness of the ice, or through any portion of such thickness, shall, from time to time, mark the same, at the point nearest to the actual track, with a pole at least six feet high, being otherwise liable to make good all the injury which such pole might have been expected to prevent.

16. On 1st January in each year, the Governor of Assiniboia shall appoint three road-inspectors for every section of four miles, more or less, on the entire length of the main highway.

LIBRARY.

17. The Red River Library shall be a body corporate; and it shall have charge of the books, which were bequeathed to the Settlement by the late Mr. Peter Fidler.

DISTILLATION.

18. If, without the Hudson's Bay Company's authority, any person distil, or attempt to distil, native spirits, or own, or possess, either such spirits, or any vessels or materials prepared or intended for the manufacture thereof, he shall be fined Ten Pounds, and shall forfeit all such materials or vessels or spirits. N.B.

N.B.—This Law was repealed, on Dr. Bunn's motion, the 23rd June, 1858; *See* Minutes of Council for the above date.—W. R. Smith, E.O.

THE INTOXICATING OF INDIANS.

19. If any person, without distinction of race, supply any reputed Indian, or any member of an Indian nation with the means of intoxication, he shall be fined as follows:

Two Pounds for furnishing any brewing utensils;

Three Pounds for furnishing malt;

Five Pounds for furnishing fermented liquors;

Ten Pounds for furnishing any other immediate cause of intoxication than fermented liquors.

20. In addition to these fines, the offender shall make restitution to the Indian, of all the equivalent which he may have received, if any, for such furnishing;—every part of such equivalent, not being money itself, being valued, for this purpose, at prime cost.

18th October, 1853.

13½. That Dr. Cowan, Mr. Bruneau, Mr. Maximilian Genton, Mr. J. Bte. Lépine, Mr. Solomon Hamelin, Mr. Michel Dumas, Mr. Narcisse Marion and Mr. Jean Venis, be authorized to trace a road of one chain in breadth, subject to the obligation of removing the side fences in winter, on the west side of Red River from the Assiniboine to the Pointe Coupée, and that the road so traced be legalized—the whole to be approved by the Board of Works.

15½. That Dr. Cowan, Mr. Grant, Mr. Sinclair, Mr. Bruneau and Mr. Ross be a Board of Works for the management of Roads and Bridges.

That no money be granted unless on a report and application of the said Board.

21. If an intoxicated Indian commit, or threaten to commit, any unprovoked violence, he may be imprisoned in addition to any specific punishment, till he prosecute the person who may have been guilty in the matter.

22. If any person possess, or have possessed, malt or beer or spirits, or any other of the above specified means of intoxication, in the society or tent of any Indian, he shall be held guilty of furnishing such means of intoxication to Indians.

CUSTOMS DUTIES.

23. Everything, which may enter the Settlement, or which, after entering the country, to the address of any settler, may be diverted from its proper destination, shall pay *four per cent* on the prime cost.

Excepting

I. The produce of the chace;

II. Whole packages passing through the settlement according to their original destination;

III. Personal baggage, comprising everything but articles of consumption, which may arrive in the country, for the owner's own use, in the same season as the owner himself.

IV. Live stock;

V. Books, maps, plates, prints, philosophical apparatus, &c.

VI. Stoves;

VII. Anything intended for the improvement of agriculture, or of manufactures;

VIII. Canvas, ropes, tar, and other naval stores, unavoidably brought into use for the importers' own boats, on their upward voyage;

IX. Packages employed as such.

24. The want of an invoice, if unavoidable, shall be supplied by the oath of the imports as to the value of the goods; but such want, if not unavoidable, shall be supplied by the estimate of three persons to be named by the collector.

POLICE.

25. Efficient householders,, not exceeding fifteen in number, shall be appointed constables on 1st September in every year, these taking the following oath:

"I swear by God, as I shall answer to God at the great day "of judgment, that I shall, till lawfully discharged from my

18th October, 1853.

23½. That Church Bells be exempted from Duty.

" office as constable for the District of Assiniboia, be always " ready, at all hazards, to serve and execute all legal writs, and " to maintain the peace and security of the said district against " all enemies and disturbers of such peace or such security, and " that I shall, to the utmost of my ability, obey all laws and all " lawful authority within and for the said district, and induce " all others to obey the same; and that I shall do my best to " become acquainted with all local regulations."

26. For any neglect of duty, any constable may be suspended by any magistrate or petty court, or may be dismissed by the general court.

27. Each constable shall receive Twelve Pounds a year, excepting if dismissed for neglect of duty, or pronounced, after the close of his year, to have been deservedly suspended, he shall receive only Three Shillings and Six Pence for every day of actual service.

INTESTATE ESTATES.

28. When any person has died without a written will, no individual shall intermeddle with the property, till he has received letters of administration from the Governor of Assiniboia.

MARRIAGE LICENCES.

29. On payments of One Pound, a marriage licence shall be issued, by the Governor of Assiniboia, to any applicant who may have sworn before him, that neither himself, nor his intended consort, is already living in lawful wedlock. Saving the rights, whatever they may be, of any ecclesiastical person, in the premise.

ADMINISTRATION OF JUSTICE.

30. Dr. Bunn shall be coronor for the District of Assiniboia.

31. Cuthbert Grant, Esqr., and Mr. William Ross, shall be sheriffs for the same.

32. Mr. William Ross shall be Governor of the Gaol from 1st June, 1851, with a salary of Thirty Pounds a year.

27th November, 1851.

29½. In future, any legally ordained Presbyterian Minister, labouring in the settlement, may validly solemnize marriages in the District of Assiniboia; and all registers of marriages, baptisms, and burials, regularly kept by any legally ordained Presbyterian Minister, shall be deemed legal and valid records.

33. The General Court shall sit, for the District of Assiniboia, with a jury, on the third Thursday of February, of May, of August and of November.

34. In place of the laws of England of the date of the Hudson's Bay Company's charter, the laws of England of the date of Her Majesty's accession, as far as they may be applicable to the condition of this colony, shall regulate the proceedings of the General Court, till some higher authority or this Council itself, shall have expressly provided, either in whole or in part, to the contrary.

35. Petty Courts shall sit as follows:

I. White Horse Plain Section, from Sturgeon Creek upwards, on both sides of the Assiniboine, on the second Monday of January. of March, of May, of July, of September, and of November, at Mr. Grant's house;

II. Lower Section, from the Upper Church, downwards, on the sides of the Red River, on the fourth Monday of these same months, at St. Andrew's school;

III. Upper Section, comprising all the rest of the settlement, on the third Monday of every month, at the Court House; Provided, however, that any one of these petty courts may adjourn itself over seed-time and harvest.

36. The petty judges shall be as follows, receiving Five Pounds a year each:

I. Mr. Pascal Berland, Mr. Urbain Delorme, and Mr. Joseph Guilbeau, with Mr. Grant as President;

II. Mr. Donald Gunn, Mr. Roderick Sutherland, and Mr. John Inkster, with Dr. Bunn or Mr. Thomas Thomas as president;

III. Mr. François Bruneau, Mr. Maximilian Genton, Mr. William McMillan, Mr. William Ross, and Mr. Alban Fidler, with Dr. Cowan as President.

37. Two petty judges and the president shall form a *quorum*, the president voting only when the others have not decided by at least a plurality of votes.

38. These petty courts shall take cognizance of all actions of debt, with the exception of questions of revenue, not exceed-

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29th March, 1853.

34½. That, for the future, no immoveable property shall be sold without intimation made or posted previously, on two successive Sundays, at the door of every church in the settlement, and that in case the sale may have been effected without this intimation the buyer shall be responible for the debts of the seller, to the amount of the value of the immoveable property.

ing Five Pounds, and also of all petty offences which do not involve any other than a pecuniary penalty of not more than Forty Shillings Sterling—Provided, however, that, where the debt exceeds Two Pounds, the losing party may appeal to the General Court, on giving security for costs.

39. In any petty court, the original summons shall run only for its own section of the settlement, but all other writs whatever shall run for the District of Assiniboia.

40. If, in any suit originally brought before the General Court, the bench, after verdict rendered against the defendent, shall unanimously decide that such suit ought to have gone before a petty court, the plaintiff shall, in that case, recover costs only as in such petty court.

41. In any court, either party to a civil action may be made the other's witness.

42. Every writ, including service or execution thereof, within the range of the Settlement, shall cost One Shilling.

43. In a civil case, the jurors shall receive One Shilling each, while all witnesses whatever shall have Two Shillings and sixpence a day each.

44. Any person, who may be imprisoned in respect of any crime, or of any penalty, shall daily receive one pound of pemmican, and water at discretion; and no person may be imprisoned, or kept in prison, at the suit of any creditor, unless he shall receive, every week in advance, a daily allowance of Four Pence from such creditor.

EXECUTIVE OFFICER.

45. Mr. William Robert Smith, with a salary of Seventy Pounds a year, shall discharge all such administrative functions as may not be specially assigned to any other person.

LEGISLATIVE PROCEEDINGS.

46. Unless the votes be unanimous to the contrary, no motion shall be carried without having been twice read on two different days.

29th March, 1853.

45½. That Dr. Cowan, Mr. Thomas, and Mr. Ross, be auditors of the public accounts and that they publish the same on the second Sunday in June.

Lois passées par le Gouverneur et le Conseil d'Assiniboia le 13 juillet, 1852.

The Revd. Mr. La Flèche's Translation.

DISPOSITIONS PRELIMINAIRES.

I. Toutes les ordonnances locales qui ne seront pas explicitement étendues plus loins, ne seront applicables qu'à cette partie du district d'Assiniboia, qui forme la Colonie de la Rivière Rouge et ses environs.

II. Toutes les amendes et confiscations, qui n'ont point de désignation spéciale, doivent revenir aux fonds publics.

III. Tout réglement sera interpreté sans aucune distinction de *Genre* ou de *Nombre*.

IV. Si quelqu'un favorise, d'une manière quelquonque, la violation d'une ordonnance locale, il sera tout aussi coupable que le principal offenseur.

V. La loi générale d'Angleterre suppléera à tous les cas qui ne sont prévus par ces réglemens locaux.

1. Tous ces réglemens locaux enregistrés jusqu'au 30 Août, 1851, sont rappelés.

FEUX.

2. Si un malon de foin, en pleine prairie, est endommagé par un feu courant, le propriétaire n'en pourra reclamer le dommage que dans le cas où il aura cerné ce malon d'un anneau de la bourage d'aumoins quatre piés de large, à la distance de trente verges au moins.

3. Si, du 31 Mai au 1 Décembre, quelqu'un met le feu avec intention de le faire courir, il paiera dix louis d'amende, dont moitié au poursuivant.—Pourvu, cependant, que la cour peut remettre toute l'amende, si le défendant n'a mis le feu que par nécessité, et a fait tout en son pouvoir pour l'empêcher de courir.

4. Si un feu allumé en plein air, sans intention pourtant de le faire courir, est laissé allumé, et que par défaut de précaution, ou par négligence, il vient à courir, toute personne qui l'aura allumé, ou alimenté, ou qui s'en sera servi, paiera une amende de cinq chelins à cinquante chelins.

ANIMAUX.

5. Si un troupeau entre dans un champ clos, le dommage sera divisé également entre ces animaux, et de plus, ces animaux

pourront être retenus en garanti jusqu'à assurance du paiement à raison de douze sous par jour pour le soin de chaque animal. Pourvu, cependant, qu'aucune partie du dommage ne puisse tomber sur quelqu'animal qui serait entré par une barrière ouverte, ou par une cloture qui n'aurait ni la hauteur, ni la force, ni la densité convenable.

6. Si un étalon approchant deux ans et audessus est trouvé libre, le propriétaire de cet étalon paiera vingt chelins d'amende, et l'animal pourra être retenu en garanti jusqu'à assurance du paiement à raison de douze sous par jour.

7. Si un belier est trouvé libre entre le 30 Juin et le 1 Novembre, toute personne peut le prendre, et le retenir jusqu'à ce que le propriétaire lui ait payé deux chelins et demi, lesquels lui appartiendront.

8. Si, entre le 31 Mars et le 1 Novembre, un cochon est trouvé libre, le propriétaire de ce cochon est responsable du dommage causé par des cochons, que en égard au tems et au lieu, son cochon aurait pu causer, à moins qu'il ne puisse prouver que ce dommage a été causé par tel ou tels autres cochons en particulier.

USAGE DES CHEVAUX.

9. Si quelqu'un prend un cheval, pour le monter ou l'atteler, sans le consentement du possesseur, il paiera un louis d'amende, et on lui confisquera l'aquippement, de quelque qualité qu'il soit, dont il se sera servi pour le monter ou l'atteler.

FOIN.

10. Si un colon fauche du foin au dela de la ligne de deux milles avant le 20 Juillet, il lui sera confisqué, ou il en paiera la valeur.

11. Le privilège exclusif de faucher ce foin entre les lignes de deux et de quatre milles, sera perdu pour la saison du moment que celui, qui y a droit, aura fauché au dela de la ligne de quatre milles, et en tous les cas privilèges cesseront après le 31 Août.

12. Si un colon fauche sciemment sur la terre d'un autre, son foin lui sera confisqué, en espèce ou en valeur, au profit et au satisfaction du propriétaire, sans recevoir aucun dédommagement pour son travail; mais s'il l'a fait par ignorance, son foin lui sera encore confisqué, mais il aura droit à être dédommagé de son tems.

CHEMINS.

13. Les principales grandes routes auront deux chaines de large.

14. Les autres chemins peuvent être réparés et améliorés comme chemins publics, mais seulement lorsque les propriétaires du sol auront consenti à laisser libre une largeur convenable qu'ils élargiront de tems en tems de manière à réparer les dommages causés par la rivière, ou autres causes semblables..

15. Si quelqu'un perce dans la glace un trou à jour, ou seulement dans une partie de l'épaisseur de la glace, il l'indiquera par une perche d'aumoins six piés de long, planté du côté le plus près du chemin, faute de quoi, il sera responsable du dommage qu'une semblables précaution aurait pu prévenir.

16. Le premier Janvier de chaque année le Gouverneur d'Assiniboia nommera trois inspecteurs de chemins pour chaque section de quatre milles, plus ou moins, sur la longueur entière des grandes routes.

BIBLIOTHÈQUE.

17. La bibliothèque de la Rivière Rouge sera un corps incorporé, et il sera chargé du soin des livres légués par feu Mr. Peter Fidler.

DISTILLATION.

18. Si, sans l'autorisation de la Compagnie de la Baie d'Hudson, quelqu'un distille, ou entreprende de distiller, des spiritueux *natifs,* ou a, ou possède, soit de tels spiritueux, ou soit ces vaisseaux et matériaux préparés et destinés à ces confectionners, il paiera dix louis d'amende; et ces vaisseaux, matériaux, et spiritueux lui seront confisqués.

ENIVREMENT DES SAUVAGES.

19. Si quelqu'un, sans distinction de race, fournit à un autre, réputé sauvage, ou à quelqu'un membre d'une nation sauvage, les moyens de s'enivrer, il sera sujet à une amende comme suit:

Deux louis pour avoir fourni quelqu'ustensile de brasserie;

Trois louis pour avoir fourni du malt;

Cinq louis pour avoir fourni des liqueurs fermentées;

Dix louis pour avoir fourni toute autre cause immédiate d'enivrement que les liqueurs fermentées.

20. Ensus ces amendes, le délinquant restituera au sauvage l'équivalent de tout ce qu'il pourra en avoir reçu, si c'est le cas, pour lui avoir fourni ces choses, et toute partie de cet équivalent, qui n'aura pas été payé en argent, sera estimée, dans ce cas, au prix coutant.

21. Si un sauvage ivre commet ou menace de quelque violence, sans provocation, il pourra être enprisonné ensus de toute autre punition désignée, jusqu'à ce qu'il poursuive la personne qui peut avoir été coupable dans l'affaire.

22. Si quelqu'un possède, ou a possédé, du malt, de la bière, ou des spiritueux, ou quelqu'autre moyen d'enivrer, ci-dessus spécifié, en la société ou la loge d'un sauvage, il sera tenu coupable d'avoir fourni ces moyens d'enivrement aux sauvages.

DOUANE ET DROITS.

23. Toute chose, qui sera importée dans la Colonie, ou qui après avoir été importée dans ce pays à l'adresse d'un colon, sera ensuite détournée de sa destination primitive, paiera quatre par cent sur le prix coutant.

Excepté:

I. Le produit des chasses;

II. Les pièces entières passant par la colonie pour se rendre à leur destination primitive;

III. Le bagage personel, comprenant toutes sortes de choses (excepté les objets de consommation) qui arriveront dans le pays pour l'usage du propriétaire, pendant la même saison que le propriétaire lui même;

IV. Les animaux de toute espèce;

V. Les livres, cartes, planches, imprimeries, appareils philosophiques, etc;

VI. Les poëles;

VII. Toute chose distinée à l'amélioration de l'agriculture ou des manufactures;

VIII. Les canevas, cables, goudrons, et autres objets de navigation, nécessairement employés pour l'usage des barges par leurs propriétaires, pendant leur voyage de retour;

IX. Les emballages employés comme tels.

24. S'il est impossible d'avoir la facture, l'importeur suppléera par son serment sur la valeur des marchandises, mais s'il n'était pas impossible d'avoir la facture, alors le collecteur nommera trois personnes qui y suppléeront par leur estimation.

POLICE.

25. Des chefs de maison, n'excédant pas le nombre de quinze seront nommés connétables le 1 Septembre chaque année et prêteront le serment suivant:

"Je jure devant Dieu, à qui j'aurai à répondre au grand "jour du jugement, que je m'acquitterai légalement de ma "charge de connétable pour le District d'Assiniboia, étant "toujours prêt, à tout risque, a servir et exécuter les ordres "légaux, à maintenir la paix et la tranquillit? du dit district "contre tous les ennemis et perturbateurs de cette paix et tran-"quillité,—et que j'obéirai, au meilleur de ma capacité, à "toutes les lois et autorités légales dans et pour le dit district, "—et que j'engagerai les autres à rendre la même obéissance,— "et que je ferai mon possible pour acquérir la connaissance "des réglemens locaux."

26. Tout connétable, pour négligence de son devoir, peut être suspendu par un magistrat, ou la petite cour, et peut être renvoyé par la Grand-cour.

27. Chaque connétable recevra douze louis par an; mais s'il a été renvoyé pour avoir négligé son devoir, ou si, après l'année finie, il est décidé qu'il a été suspens légalement, il ne recevra que trois chelins et demi pour chaque jour de service actuel.

BIENS NON TESTÉS.

28. Quand une personne meurt sans testament, aucun individu ne doit se mêler de sa propriété, avant d'avoir reçu des lettres d'administration du Gouverneur d'Assiniboia.

LICENCES DE MARIAGE.

29. Le Gouverneur d'Assiniboia, sur paiement d'un louis, donnera une licence de mariage à tout demandant qui fera serment devant lui, que ni lui, ni sa future compagne, ne sont déjà légitimement marié, sans préjudice quelconque des droits d'aucun ecclésiastique.

29½. A l'avenir, tout Ministre Presbytérien légalement ordonné exerçant son ministère dans cette Colonie, pourra célébrer validement les mariages dans le District d'Assiniboia; et tous les régistres de mariages, baptêmes, et sépultures, tenus régulièrement par un Ministre Presbytérien quelconque, légalement ordonné, seront regardés comme légaux et valides.

ADMINISTRATION DE LA JUSTICE.

30. Dr. Bunn sera coronaire pour le District d'Assiniboia.

31. Cuthbert Grant, Ec., et M. William Ross, seront shérifs pour le même district.

32. M. William Ross sera Gouverneur de la Prison depuis le 1 Juin, 1851, avec un salaire annuel de trente louis.

33. La Grand-cour se tiendra pour le District d'Assiniboia, avec un jury, les troisièmes Jeudis de Février, Mai, Août et Novembre.

34. A la place des lois d'Angleterre à la date de la Chartre de la Compagnie de la Baie d'Hudson, les lois d'Angleterre de la date de l'avènement de sa Majesté, en autant qu'elles seront applicables à la condition de cette Colonie, régleront les procédés de la Grand-cour, jusqu'à ce que quelqu'autorité supérieure, ou ce conseil lui-même, pourvoie expressément au contraire, en tout ou en partis.

34½. Qu'il soit statué qu'à l'avenir aucun bien immeuble ne soit vendu sans une annonce faite ou affichée préalablement par deux dimanches consécutifs à la porte de toute les églises de la Colonie. Dans le cas où la vente sera faite sans cette annonce, l'acquéreur sera responsable de toutes les dettes du vendeur, jusqu'à la valeur réelle de l'immeuble.

35. Les petites cours siégeront comme suit:

I. Section de la Prairie du Cheval-blanc, depuis la Rivière Esturgeon, en montant, sur chaque côté de la Rivière Assiniboine,—les seconds lundis de Janvier, Mars, Mai, Juillet, Septembre et Novembre, chez Mr. Grant.

II. Section d'en bas, depuis l'église d'en haut, en déscendant, sur chaque côté de la Rivière-Rouge,—les quatrièmes lundis des mêmes mois, à la maison d'école de A. André.

III. Section d'en haut, comprenant le reste de la Colonie, les troisièmes lundis de chaque mois, à la maison de la cour;

Pourvu, cependant, que chaque petite cour peut s'ajourner, au dela du tems des semences et de récolte.

36. Les petits juges seront comme suit, et recevront annuellement chacun cinq louis:

I. MM. Pascal Berland, Urbain Delorme, et Joseph Guilbeau, avec M. Grant pour Président;

II. M.M. Donald Gunn, Roderick Sutherland, John Inkster avec Dr. Bunn et M. Thomas Thomas pour Président;

III. M.M. François Bruneau, Maximilian Genton, William McMillan, William Ross et Alban Fidler, avec Dr. Cowan pour Président.

37. Deux petits juges et ce Président formeront un *quorum*. Le Président ne votera seulement que quand les juges n'auront point décidé aumoins par une pluralité de voix..

38. Ces petites cours prendront connaissance de toutes actions de dette (excepté les questions de revenu) qui n'excéderont pas cinq louis, et aussi de toutes les petites offences qui n'emportent pas avec elles d'autre punition qu'une punition pécuniaire, n'écédant pas quarante chelins. Pourvu, cependant, que lorsque la dette excède deux louis, le perdant peut appeler à la Grand-cour, en donnant securité pour les frais.

39. Dans chaque petite cour les sommations originales n'auront force que dans leur section respective de la Colonie, mais tout autre ordre quelconque aura force dans tout le district d'Assiniboia.

40. Si, dans une poursuite faite en première instance devant la Grand-cour, le banc, après un verdict rendu contre le défendant, décide unanimement, que cette poursuite aurait dû être faite par devant la petite cour, le paignant, dans ce cas, ne récouvrera que les frais qu'aurait exigés cette petite cour.

41. Dans aucune cour, chaque parti pour une action civile peut forcer l'autre à devenir son témoin.

42. Chaque ordre, exigeant un service, ou exécution pour chaque section de la Colonie, coutera un chelin.

43. Dans une action civile, les jurés recevront un chelin chacun, tandis que les témoins recevront chacun deux chelins et demi par jour.

44. Toutes personne, emprisonnée pour quelque crime, ou quelque punition, recevra une livre de pemikan par jour, et de l'eau à discrétion; et personne ne peut être emprisonnée ou retenu en prison à la poursuite d'un créancier, à moins qu'il ne reçoive d'avance, chaque semaine, une allouance de huit sous par jour de ce créancier.

OFFICIER EXÉCUTEUR.

45. William Robert Smith, avec un salaire de soixante dix louis par an, remplira toutes les fonctions administratives qui ne sont pas spécinalement assignées à une autre personne.

45½. Que le Dr. Cowan, M. Thomas, et M. Ross, soient Auditeurs des comptes publics, et qu'ils en fassent la publication le second dimanche de Juin.

PROCÉDÉS LÉGISLATIFS.

46. A moins que les votes ne soient unanimes, aucune motion ne pourra être emportée sans avoir été lue deux fois en deux jours differens.

14. Lois d'Assiniboia passées par le Gouverneur et le Conseil d'Assiniboia, le 13 Avril 1862.[1]

LOIS D'ASSINIBOIA.

PASSÉES PAR LE GOUVERNEUR ET LE CONSEIL D'ASSINIBOIA LE 13 AVRIL 1862.

Observations Générales.

I. Toutes les ordonnances locales, quand elles ne seront pas expressément étendues plus loin, ne concerneront du district d'Assiniboia que la partie formant la Rivière Rouge, et ses environs.

II. Les amendes et les confiscations, à moins d'une disposition contraire, tourneront au profit du trésor public.

III. Chaque décision devra s'interprêter sans distinction de genre et de nombre.

IV. Toute personne, qui, d'une manière ou d'une autre, encouragera à la violation d'une ordonnance locale, sera regardée comme aussi coupable que le délinquant principal.

V. A moins d'une disposition spéciale pour le contraire, toute offense à son remède dans la loi générale du pays.

I. Tous les règlements locaux, consignés dans les régistres jusqu'au 13 Mars 1862, sont annulés.

FEUX.

II. Un mulon de foin, en pleine prairie, vient-il à souffrir du feu qui court, le propriétaire n'aura droit à aucun dédommagement, à moins que le dit mulon de foin n'ait été protégé, à une distance de vingt verges, au moins, par un cernage à la charrue ou au feu de huit pieds de large au moins.

III. Entre le 31 Mai et le 1er Décembre, toute personne qui allumera du feu, avec l'intention de le laisser courir, sera punie d'une amende de dix Louis, dont la motié pour le poursuivant; et toute personne qui, sans la présence et l'assistance de quatre hommes au moins, allumera du feu pour cerner ses mulons, aux termes de la loi précédente, cette personne sera traitée comme

ayant encouru la pénalité attachée à la présente loi. Le Banc pourra néanmoins remettre toute l'amende, si le défendant n'a allumé le feu que par nécessité, et s'il a fait tout son possible pour l'empêcher de courir.

IV. Si, en plein air, un feu, qui n'est pas allumé pour courir est laissé allumé, sans les précautions convenables ou est laissé s'étendue par négligence, toute personne, qui pourrait l'avoir allumé ou entretenu ou s'en être servi, sera passible d'une amende de cinq à cinquante shillings.

ANIMAUX.

V. Si l'on trouve un ou plusieurs animaux dans un clos où du dommage a été causé, le dit dommage sera payé par le ou les propriétaires de cet animal ou de ces animaux trouvés dans l'enclos, selon que le propriétaire du champ pourra prouver que cet animal est ou ces animaux sont généralement connus dans le voisinage comme briseurs de clôtures. Le montant du dommage sera également divisé entre chacun des animaux, connus briseurs de clôtures, indépendamment des autres animaux trouvés simultanément dans l'enclos, mais n'ayant point le même défaut; et tout animal connu comme briseur de clôtures et trouvé dans l'enclos, sera gardé en garant jusqu'à ce que son maître paye sa part du dommage, pourvu que le propriétaire de l'enclos puisse prouver que la clôture du dit enclos était suffisament haute, forte, et serrée, et que la ou les barrières de l'enclos était ou étaient fermées.

VI. Si un étalon de seize mois et au-delà est trouvé libre, le propriétaire sera puni d'un amende de vingt shillings dont la moitié ira au celui qui aura arrêté l'étalon, et l'étalon lui-même pourra être gardé en garant jusqu'à ce que des sûretés pour le payement de l'amende soient données; et tout le temps que l'animal est ainsi gardé le propriétaire payera pour le soin qu'on en aura eu, six deniers par jour.

VII. Si un bélier est trouvé libre depuis le 30 Juin et le 1er Novembre, il pourra être enfermé par le premier venu, jusqu'à ce que le propriétaire paye deux shillings et demi pour le profit de celui qui aura arrêté l'animal, et tout le temps que le bélier sera ainsi enfermé, le maître aura à payer trois deniers par jour pour la pension du dit bélier.

VIII. Si, depuis le 31 Mars et le 1er Novembre, un ou plusieurs cochons sont trouvés dans un champ clôturé, sans avoir un joug de 1½ pied de large, et de 1½ pied de haut, le propriéd-

taire de ce ou de ces cochons nonseulement sera responsable pour tout le dommage commis par ce ou ces cochons, mais paiera de plus une amende de trois shillings pour leur saisie. En outre, si, après que le maître du ou des dits cochons a été averti par le propriétaire de l'enclos de retirer son ou ses cochons, il néglige de le faire, dans ce cas, le propriétaire de l'enclos, après un délai de six heures, pourra tuer le ou les dits cochons, sans que leur propriétaire ait droit à aucun dédommagement. Quiconque prendra un ou des cochons, en vertu de cette loi, recevra pour leur entretien, six deniers par jour, lesquels seront payés par le maître du cochon ainsi saisi.

DE CEUX QUI PRENNENT LES CHEVEAUX.

IX. Toute personne qui prendra le cheval d'un autre pour le monter ou pour l'atteler, sans son consentement, sera punie d'une amende de un Louis. La moitié de l'amende ira au dénonciateur, et seront confisqués, au profit du propriétaire du cheval, tous les équipements de quelque qualité qu'ils soient dont le coupable se sera servi en usant du cheval, pour la selle ou pour la voiture. Si un cheval ainsi pris était endommagé ou perdu, celui qui l'a pris devra indemniser le propriétaire dans toute l'étendue du dommage ou de la perte.

FOIN.

X. Tout habitant, qui coupera du foin au-delà des deux milles avant le 1er Août, perdra le foin ou la valeur du foin.

XI. Tout privilège exclusif de couper du foin entre les lignes situées au-delà des deux milles et en deça des quatre milles sera perdu pour la saison aussitôt que la partie privilégiée coupera du foin au-delà des quatre milles. En tous cas tous ces privilèges exclusifs deviendront droit commun après le 15 Août, ou deux semaines après le commencement des foins.

XII. Un habitant qui volontairement empièterait sur la terre d'un autre, en perdra les revenus, en espèce ou en valeur, pour le profit et la satisfaction de la partie lésée, et n'aura droit à aucune remise pour son travail; s'il empiète par ignorance, il subira les mêmes pertes que ci-dessus, mais avec compensation pour son temps.

CHEMINS.

XIII. Le principal grand chemin aura deux chaînes de large.

XIV. Tout autre lieu actuel de passage, pourra être réparé ou amélioré comme chemin public, mais pas avant que toutes les

parties intéressées dans le sol aient consenti à laisser inoccupée, de temps en temps, une largeur uniforme, afin d'obvier aux empiètement des la Rivière ou à d'autres semblables inconvénients.

XV. Si quelqu'un perce la glace en tout ou en partie, il marquera, de temps en temps, cet endroit au point le plus rapproché du chemin actuel avec une perche de six pieds de haut au moins, sans quoi, il sera responsable pour tous les dommages que cette marque aurait pu prévenir.

XVI. On nommera des Inspecteurs des travaux publics dans les differentes parties de la Colonie. Ceux-ci répondront devant le Gouverneur et le Conseil des sommes d'argent dépensées pour les travaux publics, aussi bien que de l'état des chemins et des ponts dans leurs sections respectives. Les dits inspecteurs offriront à la concurrence publique tous les travaux à exécuter dans leurs sections respectives, et, parmi les concurrents, ils choisiront les personnes les plus aptes aux travaux proposés.

I. La section de la Prairie du Cheval Blanc embrasse les deux rives de la Rivière Assiniboine, en la remontant depuis la Rivière Eturgeon.

II. La section inférieure comprend les deux rives de la Rivière Rouge, en la descendant depuis l'Eglise St. Paul.

III. La section du milieu comprend les deux rives de la Rivière Rouge, en la remontant depuis l'Eglise St. Paul, jusqu'à la Cathédrale de St. Jean; de là jusqu'à la Fourche, elle comprend le côté Ouest de la Rivière Rouge, et de la Fourche elle comprend les deux rives de la Rivière Assiniboine, jusqu'à

Deux Louis pour fournir des utensiles de brasserie: l'amen-

IV. La section Supérieure comprend, depuis la Cathédrale de St. Jean jusqu'à la Fourche, le côté Est de la Rivière Rouge et de lX les deux côtés de la Rivière Rouge en la remontant.

XVII. Les personnes suivantes seront les inspecteurs des travaux publics:

I. Pour la section du Cheval Blanc—Patrîce Breland, avec un salaire de £20 par an.

II. Pour la section inférieure, Thomas Sinclair, avec un salaire de £25 par an.

III. Pour la section du milieu, John Fraser, avec un salaire de £25 par an.

IV. Pour la section Supérieure—Francois Bruneau, avec un salaire de £25 par an.

Enivrement des Sauvages—XVIII. Si quelqu'un, sans distinction de race, est, sur le serment d'un ou de plusieurs témoins.

convaincu, devant une petite cour, d'avoir fourni ou vendu à un sauvage, ou à un membre d'une nation sauvage les moyens de s'enivrer, il sera passible pour chaque délit des amendes suivantes:

Deux Louis pour fournir des ustensiles de brasserie: l'amende ira au délateur.

Trois Louis pour fournir du malt: l'amende au délateur.

Cinq Louis pour fournir la bière ou liqueur fermentée: l'amende au délateur.

Dix Louis pour fournir des liqueurs distillées ou tout moyen immédiat d'ivresse, autre que les liqueurs fermentées: la moitié de l'amende sera pour le délateur.

Dans tous les cas, le délinquant, après conviction, sera emprisonné jusqu'au payement de l'amende.

XIX. En sus de ces amendes, le délinquant restituera au sauvage l'équivalent qu'il pourrait avoir reçu de ce dernier pour les dites fournitures. Dans cette restitution, tout ce qui ne sera pas argent devra être estimé au prix coûtant.

XX. Si un sauvage ivre commet ou menace de commettre, sans provocation, un acte de violence, il peut être emprisonné, en sus de toute punition particulière, jusqu'à ce qu'il poursuive la personne qui peut avoir été coupable de son ivresse.

XXI. Toute personne qui possède ou a possédé du malt ou de la bière ou des liqueurs spiritueuses ou quelqu'autre moyen d'ivresse sus-mentionné dans la compagnie ou dans la tente d'un sauvage, cette personne sera regardée comme coupable d'avoir fourni aux sauvages ces moyens de s'enivrer.

LOIS SUR LA BOISSON.

XXII. Il est permis au banc des magistrats de paix et aux petites cours assemblées dans leurs divers districts, le premier lundi du mois de Juin, chaque année, ou à d'autres époques, quand ils le jugeront à propos, d'accorder des licences valables jusqu'au premier lundi de Juin suivant aux demandeurs approuvés (lesquels devront être propriétaires fonciers dans la Colonie). Les licences donneront droit de vendre en détail sur les propriétés de ceux qui les obtiendront, toutes sortes de liqueurs spiritueuses, vin et bière légalement importé ou fabriqué dans le pays. On est censé vendre en détail, quand on vend moins de cinq galons de liqueurs spiritueuses, moins de un galon de vin, et moins de huit galons de bière. Il faudra payer une somme de dix Louis pour obtenir une licence qui autorise à

vendre en détail des liqueurs spiritueuses, comme du vin et de la bière, et la somme de cinq Louis pour la licence qui autorise à ne vendre que la bière en détail. Si quelqu'un vend des liqueurs spiritueuses, du vin ou de la bière en détail, sans cette licence, il payera, pour chaque délit, après en avoir été convaincu, devant une petite cour, sur le serment d'un ou de plusieurs témoins, une amende de dix Louis sterlings, et sera emprisonné, jusqu'au paye ment de l'amende. La moitié de l'amende appartiendra au dénonciateur. La formule des licences sera conforme aux cédules A ou B. Toute contravention à la teneur des dites licences sera punie par la perte des licences; et de plus, en cas d'infraction des dispositions stipulées dans les dites licences relativement aux Sauvages, le délinquant sera passible de la pénalité spéciale pour fournir aux Sauvages les moyens de s'enivrer.

Cédule A.

Ceci est pour certifier que vous . . . . . êtes autorisé par les présentes a vendre, sur votre prrpriété, toutes liqueurs spiritueuses légales, en toute quantité au-dessous de cinq galons, du vin en toute quantité au-dessous de un galon, et de la bière, en toute quantité au-dessous de huit galons, à toute personne ou personnes, sous les restrictions suivantes, vous ne vendrez point depuis neuf heures du soir, jusqu'à six heures du matin, non plus que les jours de dimanche à quelque heure que ce soit. Vous ne vendrez point à des personnes ivres, jamais à aucun sauvage ni à aucune personne vulgairement connue comme sauvage. Tout acte contraire à ces restrictions rendra cette licence nulle et de nul effet.

Cette licence sera valable jusqu'au premier lundi de Juin prochain.

Cédule B.

Ceci est pour certifier que vous . . . . . êtes autorisé par les présentes à vendre, sur votre propriété, toute quantité de bière au-dessous de huit galons à toute personne ou personnes, sous les restrictions suivantes; vous ne vendrez point depuis neuf heures du soir jusqu'a six heures du matin non plus que le dimanche à quelque heure que ce soit. Vous ne vendrez point à des personnes ivres, jamais à aucun sauvage, ni à aucune personne, vulgairement connue comme sauvage. Tout acte contraire à ces restrictions rendra cette licence nulle et de nul effet.

Cette licence sera valable jusqu'au premier lundi de Juin prochain.

XXIII. C'est avec les fonds provenant des licences et des amendes que les petites cours défrayeront toutes les dépenses nécessitées pour le maintien des lois contre la vente illégale des boissons spiritueuses, du vin ou de la bière, ou contre ceux qui fournissent au sauvages les moyens de s'enivrer. Les mêmes petites cours rendront compte au Gouverneur et au Conseil de ces recettes et de ces dépenses.

XXIV. Aucun procès ne pourra être intenté, à l'effet de recouvrer les pénalités encourues par la violation des lois qui règlent la vente des liqueurs enivrantes, si l'information n'a pas été donnée dans le cours de six mois après la perpétration du délit.

DOUANE.

XXV. Toutes les marchandises importées dans le district de l'Assiniboine, des quelque Partie des Possessions Britanniques que ce soit, ou de tout autre pays étranger, seront soumises à un impôt de quatre pour cent "ad valorem," valeur qui sera estimé d'après le prix courant auquel ces marchandises sont vendues dans les lieux d'où elles viennent.—Londres, New-York, etc. On excepte de cette règle générale certains articles sur lesquels il y aura des spécifications particulières. Les articles suivants seront introduits exempts de douane, savoir:

I. Toutes les barres de fer et d'acier.

II. Tous les livres et toutes les publications, importés ou pour l'usage particulier ou comme marchandise.

III. Tous les instruments scientifiques.

IV. Toutes les machines et tous les instruments aratoires.

V. Tous les bagages, comme tous les vêtements et ustensiles dont les propriétaires ont fait ou font encore usage.

VI. Toutes les semences, racines ou plantes, propres à améliorer l'agriculture.

VII. Toutes les fournitures de bureau et d'écoles.

VIII. Toutes les marchandises reconnues de bonne foi comme propriétés de sujets Britanniques, et rentrées, au temps de l'importation, comme destinées pour des établissements en dehors du District d'Assiniboia.

IX. Toutes les caisses, boîtes, tous les barils et bouteilles, ainsi que tous les emballages qui contiendront des marchandises ou liquides de quelque qualité que ce soit.

X. Les monuments ou pierres sépulchrales.

XI. Toutes les meules et tous les poëles.

XII. Toutes les peaux, pelleteries, parchemins, le cuir non-

tanné et tous les produits de la chasse en général.

XIII. Tous les effets donnés gratuitement et destinés tout d'abord pour les missions sauvages du territoire de Rupert, ainsi que tous les vins importés pour le service divin.

XXVI. Il y aura quatre Collecteurs des Douanes qui résideront à chaque extrémité et au centre de la Colonie, ainsi qu'à la Prairie du Cheval Blanc. Leurs maisons seront regardées comme des offices de la douane. Chaque Collecteur aura le pouvoir de faire prêter serment, de chercher et de saisir les marchandises de contrebande et de poursuivre les contrebandiers. Il pourra exiger l'appui des connétables, ainsi que de tout sujet loyal de Sa Majesté Britannique et à tous ceux, qui, sans être connétables, répondront à son appel, le Collecteur, aux dépens du trésor public, les payera, comme connétables spéciaux et extraordinaires, dix shillings par jour. Chaque Collecteur aura le pouvoir d'exiger et de recevoir le payement de la douane, et de donner des reçus faisant foi que la douane a été payée. Deux fois par mois, chaque Collecteur remettra, entre les mains du Gouverneur qui est, en vertu de son office, Collecteur Général, tous les revenus qu'il aperçus, ainsi qu'une liste des personnes qui ont payé, et la valeur des marchandises sur lesquelles l'impôt a été levé. Tous les huit jours chaque Collecteur enverra au bureau du douane le plus proche une liste de toutes les quittances faites par lui. Chaque Collecteur, en sus de son salaire, aura droit au cinquième des profits résultant des saisies qu'il aura faites ou fait faire.

XXVII. Toutes les personnes important dans le district d'Assiniboia, des marchandises sujettes à la douane, ces personnes qu'elles soient propriétaires, agents ou conducteurs, seront pourvus d'une facture ou manifeste qui fera connaître, outre le nom du consignataire, un rapport exact de la quantité et du prix d'achat de toutes les marchandises contenues dans les voitures, vaisseaux ou autre véhicule quelconque, par terre ou par eau. Cette facture ou manifeste sera vérifiée par la signaront être saisies. Le Collecteur, pour s'assurer de la véracité des marchandises dans la Colonie, la dite facture ou manifeste sera présentée a un Collecteur au premier bureau de douane par où passent les marchandises. Autrement les marchandises pourront être saisies. Le Collecteur, pour sassurer de la véracité des factures à lui présentées, pourra exiger le serment de la partie intéressée, ou bien examiner les marchandises, en ouvrant les colis, s'il le juge nécessaire. Après avoir ainsi reçu satisfaction, il exigera le payement de la douane, ou, à sa discrétion il

pourra accepter une obligation pour le montant payable au moins en trois mois. Cette obligation pourra être poursuivie et recouvrée comme toute autre dette.

Le Collecteur, auquel on aura satisfait pour la douane, comme ci-dessus spécifié, écrira sur le revers de la facture ou manifeste les mots " Examiné et payé " il y apposera en outre sa signature et la date, et ceci sera regardé comme une quittance suffisante.

Si dans certains cas, pour une cause inévitable, il arrive qu'il ne se trouve pas de facture, le Collecteur sera autorisé à accepter la déclaration assermentée des parties intéressées pour connaître la valeur des marchandises, ou, s'il le juge nécessaire, il peut s'en assurer autrement.

XXVIII. Tout propriétaire, ou importateur ou consignataire de marchandises sera tenu de montrer son manifeste, dans le délai de vingt quatre heures après l'arrivée des marchandises, (si déjà il n'a point de quittance) à un Collecteur de la douane, et tout propriétaire, importateur ou consignataire de marchandises qui aura manqué à cette formalité, sera passible, outre la somme exigée par la douane, d'une amende qui ne dépassera pas cinquante Louis sterlings, et que la cour pourra diminuer à discrétion, et cette amende pourra être recouvrée par les mêmes poursuites que toute dette contractée. Tous les ballots, ainsi que les marchandises en gros qui n'auront pas été déclarés dans le manifeste seront saisis comme contrebande, et confisqués au profit de la Reine, ou du Gouverneur et du Conseil agissant en son nom. Dans le cas où une personne quelconque refuserait de montrer son manifeste ou sa facture, ou bien refuserait de payer la douane, ou de donner une obligation pour son payement, le Collecteur sera autorisé à saisir toutes ses marchandises comme contrebande.

Toute personne qui fera un faux rapport à un Collecteur sous la foi du serment pourra être poursuivie comme parjure volontaire.

Les personnes, réclamant exemption de la douane, parce que leurs marchandises sont destinées pour des lieux au-delà du cercle de l'Assiniboine, les entreront, comme les marchandises destinées à l'usage de la Colonie, dans une des maisons de la douane où elles les déclareront en transit pour leur destination, et où elles donneront une obligation de ne pas disposer des dites marchandises avant qu'elles soient loyalement transportées en dehors des limites du District de l'Assiniboine. Cette obligation équivaudra à la moitié du prix coûtant des marchandises

ainsi entrées, et ne pourra être annulée que par le certificat d'un Collecteur des Douanes, faisant foi que les conditions de l'obligation ont été remplies. Autrement le montant de l'obligation sera confisqué et pourra se recouvrer à la manière des dettes contractées.

XXIX. Toutes les marchandises soumises à la douane, seront regardées comme contrebande dans les cas suivants, si elles ne sont sauvegardées par une quittance.

I. Si elles sont restées sur les propriétés du possesseur ou du consignataire durant plus de quarante huit heures.

II. Si on les a ouvertes, ou, si l'on en a disposé d'une manière quelconque, ou si elles sont autrement passées des mains du premier importateur ou consignataire.

III. Dans le cas ou n'étant pas sujettes à la douane, à cause de leur destination au delà des limites du District, elles auraient été ouvertes, ou l'on en aurait disposé, ou si, d'une façon quelconque, elles étaient sorties de la possession du premier importateur ou consignataire dans les limites du District, sans la connaissance et l'autorisation d'un collecteur des Douanes, toutes ces marchandises à moins d'une décision contraire, seront confisquées au profit de la Reine, par le Gouverneur et le Conseil agissant en son nom. Toutes les marchandises ainsi saisies seront déposées dans la maison de la Cour, et ensuite, à des époques fixées, ou les vendra à l'encan, au profit du trésor public, à la réserve de la somme requise pour payer les dépenses et satisfaire aux droits des collecteurs.

XXX. Un droit de cinq shillings par galon est imposé sur toutes les liqueurs fermentées et distillées, à l'exception de celles qu'on pourra prouver avoir été directement importées du Royaume-Uni par le consignataire.

XXXI. Voici quels seront les collecteurs des Douanes:

William Dease, à la Pointe Coupée, avec un salaire de £20 par an.

Roger Goulet, au Fort Garry, avec un salaire de £35 par an.

Patrice Breland, à la Prairie du Cheval Blanc, avec un salaire de £20 par an.

W. R. Smith, au Fort de Pierre.

POLICE.

XXXII. De bons chefs de familles dont le nombre n'excédera pas douze, et qui resteront en charge l'espace de trois ans, à partir du 1er Septembre après la date de leur nomination, se-

ront établis connétables le dernier jeudi de chaque année par les Magistrats spécialement assemblés à cet effet. Chaque connétable ainsi nommé devra prononcer le serment qui suit:

Je jure par Dieu, à qui je répondrai au grand jour du jugement, d'être toujours, jusqu'à ce qu'on me décharge légalement de mon office de connétable pour le District d'Assiniboia, toujours prêt à tout hazard à marcher et à exécuter tout ordre légal de maintenir la paix et la securité dans le dit District contre tous les ennemis et perturbateurs de cette paix et de cette sécurité, de faire tout mon possible pour obéir à toutes les lois et à toutes les autorités légitimes en dedans du et pour le dit District. Je jure aussi de porter tous les autres à la même soumission, et d'employer tous mes efforts à me mettre au courant de tous les réglements locaux.

XXXIII. Pour négligence dans son devoir, tout connétable pourra être suspendu par un Magistrat ou par une Petite Cour, ou pourra être congédié par la Grande Cour.

XXXIV. Chaque connétable recevra douze Louis, par an, payables tous les six mois, à moins qu'il n'ait été renvoyé pour négligence dans son devoir, ou qu'après le terme de ses six mois, la cour n'ait déclaré qu'il a été justement suspendu; dans ces cas, il ne recevra que trois shillings et demi, pour chaque jour de service actuel.

DÉBITEURS.

XXXV. Aucune propriété immeuble ni sera vendue, avant que avis en ait été donné ou affiché préalablement, à deux dimanches consécutifs, à la porte de toutes les Eglises de la Colonie. Dans le cas où la vente aurait eu lieu, sans cette formalité, l'acheteur sera responsable des dettes du vendeur jusqu'au montant de la valeur réelle de la propriété immobilière.

XXXVI. Tout créancier, à qui il est dû une somme de vingt shillings au moins, en faisant serment devant un juge de paix sur l'exactitude de la dette, et sur le fait qu'il croit son débiteur dans l'intention d'aller dans un pays étranger ou dans une partie de ce pays sur laquelle ne s'étend pas la juridiction civile des cours de la Colonie, ce créancier pourra forcer le dit débiteur à montrer des garanties pour attendre son retour à la Colonie dans la saison même de son départ, ou à donner des assurances qu'il apparaîtra à la prochaine cour compétente. A défaut de ces conditions, le créancier pourra faire saisir le débiteur et le retenir dans la Colonie jusqu'à cette époque. De

l'effet de cette loi sera exempt tout débiteur qui a contracté avec la compagnie ou avec d'autres pour laisser la Colonie durant un temps limité, sans songer à une absence illimitée de la Colonie; pourvu que son engagement ait été affiché au Bureau de la Compagnie, ou autre place publique, au moins quatre jours avant la tenue de la dernièr cour compétente qui précède la date de son prétendu départ; et désormais, en aucun cas, nul débiteur laissant la Colonie, aux termes d'un engagement, ne pourra être détenu pour dettes contractées avec un tiers, après la date voulue de la publication de son engagement de laisser la Colonie pour un temps limité.

XXXVII. Dans le cas où un débiteur qui a laissé la Colonie pour un temps illimité, aurait des propriétés dans la Colonie ces propriétés, ou autant de ces propriétés qu'on croira égal au montant de la dette, pourront être, à la discrétion de deux juges, sur la demande assermentée d'un créancier, saisies dans les mains de toute tierce partie, et, à défaut de comparution du débiteur devant les dits juges, après sommations par proclamation, à trois dimanches consecutifs, aux portes de deux églises Protestantes et de deux églises Catholiques, la Cour compétente pourra procéder à sa discrétion, à l'exécution de la justice demandée, pourvu cependant qu'aucune pareille saisie ne puisse être lancée contre la propriété d'une personne qui, quoique absente, pourra être prouvée avoir publiquement notifié son intention de s'absenter, dix jours avant la date de son départ.

DES BIENS LAISSÉS SANS TESTAMENT.

XXXVIII. Quand quelqu'un vient à mourir sans laisser de volonté écrite, personne ne doit se mêler de sa propriété, avant d'avoir reçu du Gouverneur d'Assiniboia des lettres d'administration.

AUTORISATIONS DE MARIAGE.

XXXIX. Sur payement d'un Louis, une autorisation de mariage sera accordée par le Gouverneur d'Assiniboia à tout demandant qui pourra faire serment en sa présence que ni lui-même ni sa prétendue ne sont point déjà liés par un mariage légitime; en ceci l'on ne veut nullement préjudicier aux droits, quels qu'ils puissent être, d'aucune personne ecclésiastique de l'endroit.

XL. Tout ministre Presbytérien, légalement ordonné et exerçant le ministère dans la Colonie, peut validement célébrer

les mariages dans le District d'Assiniboia, et tous registres de mariages, de baptêmes et de sepultures régulièrement tenus par tout Ministre Presbytérien légalement ordonné seront regardés comme archives légales et valides.

CONTRATS DE SERVICE.

XLI. Aucun fréteur ou propriétaire de bateau voyageant entre la Rivière Rouge et tout autre place ne pourra embarquer personne comme Batelier, avant de dresser un contrat par écrit, autant que possible dans la formule de la Cédule A donnée ci-après. On y spécifiera les gages que cette personne devra recevoir, en quelle qualité elle devra servir, en quelle temps elle devra prendre ce service, à quelle époque elle partira, le poste ou la place où ce voyage doit se faire—Ce contrat devra être signé par chaque batelier respectivement, et attesté par un témoin, quand chaque partie contractante peut signer son nom, et par deux témoins, quand une des parties ne peut ou que les deux parties ne peuvent signer leurs noms, et le dit contrat sera distinctement et exactement lu au dit batelier, avant d'être signé.

XLII. Si un batelier, après avoir signé un pareil engagement, mais non autrement, néglige ou refuse de se rendre au bateau dans lequel il s'est engagé à servir, ou s'il refuse de faire le voyage convenu, s'il s'absente sans permission, tout juge de paix, sur la plainte assermentée du maître ou propriétaire du dit bateau, lequel produira son contrat, aura droit de saisir le dit batelier, et, dans le cas où ce dernier ne pourrait pas donner des raisons suffisantes de son absence, de son refus ou de sa négligence, le dit juge, après preuves suffisantes de ce défaut, pourra emprisonner le batelier pour un temps quelconque qui n'excédera pas trente jours, à moins que ce batelier ne consente à faire le dit voyage à la satisfaction du plaignant. Rien de ce qui est ici contenu ne privera le Maître ou Propriétaire du droit de recourir à la loi pour recouvrer les gages avancées au dit batelier, ni ce dernier d'un semblable recours pour gages dues.

XLIII. Une annonce publique et suffisante sera faite du jour du départ, au moins quatorze jours auparavant.

Cédule A.

Engagement fait conformément à une loi du Gouverneur et du Conseil d'Assiniboia passée la vingt-unième année de Sa Majesté la Reine Victoria, entre————de la Colonie de la Rivière Rouge, fréteur et les différentes personnes dont les noms sont ici inscrits.

Il est convenu par et de la part des dites personnes, et chacune de ces personnes en particulier convient par ces présentes de servir sur tel ou tels bateaux qui pourront être désignés ci-après dans les différentes qualités exprimées en face de leurs noms respectifs pour un voyage de la Colonie de la Rivière Rouge à ——et de là encore à la Rivière Rouge.

Le ou les dits équipages conviennent de plus de se conduire en hommes sages, fidèles, honnêtes soigneux et sobres, et d'être, en tout temps, attentifs à leurs devoirs et postes respectifs, et d'obéir aux justes commandements du dit fréteur ou de son représentant, en tout ce qui a rapport au dit bateau, à son matériel, ses provisions et sa cargaison, soit à bord ou à terre. En considération desquels services remplis dûment, honnêtement, soigneusement et fidèlement, le dit fréteur promet par ces présentes et convient de payer au dit équipage par voie de compensation ou de salaire, le montant exprimé devant leurs noms respectifs.

En foi de quoi, les dites parties ont apposé ici leur signature respective.

Date de l'engagement.	Signature de hommes.	Qualité.	Époque du départ.	Gages.	Temoins.

Arpenteurs.

XLIV. Les Sieurs Roger Goulet et Herbert L. Sabine seront Arpenteurs pour cet Etablissement. Ils ne recevront aucun salaire des Fonds Publics, mais chacun d'eux aura droit d'exiger dix schellings par jour de toute personne qui réclamera ses services.

POSTE.

XLV. James Ross, Ecuyer, sera Maître de Poste dans la partie centrale de l'Etablissement, avec un salaire de dix Louis par an, et Thomas Sinclair, Ecuyer sera Maître de Poste dans la Section Inférieure avec un salaire de six Louis par an.

XLVI. Une malle entre cette Colonie et Pembina sera entretenue aux frais du Public; cette malle, qui sera en connexion avec la malle des Etats-Unis à Pembina, devra être réglée de manière à rencontrer la Malle des Etats-Unis à Pembina.

XLVII. Les droits de port par la Malle soit de la Colonie à Pembina, soit de Pembina à la Colonie, sont ainsi déterminés:

Chaque lettre pesant au-dessous d'une once—deux sous, et deux sous pour chaque demi-once additionelle.

Chaque Magasin ou Revue, quatre sous.

Chaque Journal, un sou—Sont exempts de toute imposition les journaux qui sont expédiés directement du Bureau de la publication et ceux qui entrent comme échanges.

Les livres pesant une demi-livre ou moins d'une demi-livre dix sous.

Pesant une livre—dix huit sous.

Une livre et demie un schelling.

Deux livres—un schelling 4 sous, et pour chaque demi-livre additionelle quatre sous.

Toutes les lettres portées d'un Bureau de Poste à l'autre, dans la Colonie, payeront deux sous chacune.

XLVIII. Pour les lettres qui seront restées au Bureau de Poste un mois, sans être réclamées, il en sera donné avis public; et, si elles ne sont pas réclamées dans l'intervalle d'un mois après cet avertissement, elles seront renvoyées au Bureau d'où elles partent; et toutes les lettres ainsi annoncées payeront, en sus du port ordinaire, six sous chacune; à la charge de la personne qui recevra une telle lettre.

RÉCOMPENSES POUR TÊTES DE LOUPS.

XLIX. Il sera payé aux dépens du trésor public, pour chaque loup tué dans un rayon de vingt miles de la Colonie, cinq schellings par tête de gros loup, et deux schellings et demi par tête de petit loup. De cette somme douze sous par tête seront retenus pour son profit par l'officier qui distribue ces récompenses à ceux qui les réclament.

ADMINISTRATION DE LA JUSTICE.

L. Le Docteur Bird sera Coronaire pour le district d'Assiniboia.

LI. James Ross, Ecuyer, sera Gouverneur de la prison, avec un salaire de trente Louis par an.

James Ross, Ecuyer, sera shériff pour le même district.

LII. La Grande Cour pour le District d'Assiniboia se tiendra avec un Jury le troisième Jeudi de Février, le troisième Mardi de Mai, le troisième Jeudi d'Août et le troisième Jeudi de Novembre.

LIII. Au lieu des lois en vigueur en Angleterre, à l'époque où la Charte fut octroyée à l'Hon. Comp, de la Baie d'Hudson,

les Lois en vigueur en Angleterre à l'avenement de Sa Majesté régleront les procédés de la Grande Cour, en autant du moins que ces Lois s'appliquent à la position actuelle de la Colonie, jusqu'à ce qu'une autorité supérieure ou ce Conseil lui-même n'en ait Statué autrement.

LIV. Les Petites Cours se tiendront comme suit:

I. Pour la Section de-la Prairie du Cheval Blanc, qui comprend les deux rives de la rivière Assiniboine, en la remontant depuis la Riv. Eturgeon, le second lundi de Janvier et de Mars, le premier lundi de Juin, le second lundi de Juillet de Septembre et de Novembre, chez Mr. P. Breland.

II. Pour la section inférieure qui comprend les deux rives de la Rivière Rouge, en la descendant, depuis la Cathédrale St. Jean, le quatrième lundi de Janvier, de Mars, de Mai, de Juillet, de Septembre et de Novembre, chez M. Thomas Sinclair.

III. Pour la section supérieure qui comprend tout le reste de la Colonie, le troisième lundi de chaque mois dans la maison de la Cour. Il sera pourtant loisible à chacune de ces petites Cours de s'ajourner jusqu'après la saison des semences et de la moisson.

LV. Les Petits Juges seront:

Iere Section. M. Francois Bruneau, Président, avec un salaire de £12 par an.

M. Pascal Breland, avec un salaire de £5 par an. M. John Taylor, avec un salaire de £5 par an. M. Pierre Falcon, avec un salaire de £5 par an.

IIe Section. M. Thomas Sinclair, Président, avec un salaire de £8 par an. M. Donald Gunn, avec un salaire de £5 par an. M. John Inkster, avec un salaire de £5 par an. M. Donald Murray, avec un salaire de £5 par an.

IIIe Section. M. François Bruneau, avec un salaire de £16 par an—M. William Dease, avec un salaire de £10 par an; M. A. Fiddler, avec un salaire de £5 par an; M. Salomon Hamelin, avec un salaire de £5 par an; M. A. G. B. Bannatyne, avec un salaire de £5 par an.

LVI. Deux Petits Juges avec le Président suffiront pour terminer une affaire. Le Président ne votera que quand les autres n'auront pas décidé au moins par la pluralité des voix.

LVII. Les Petites Cours prendront connaissance de tous les procès pour dettes qui ne dépasseront pas cinq Louis, et qui ne toucheront pas à des questions de revenu. Sont de plus du ressort des Petites Cours tous les petits délits qui n'entraînent pas d'amende pécuniaire au-dessus de quarante schellings ster-

lings, si ce n'est pour des cas provenant de la violation des Lois sur les boissons, ou des Lois qui défendent de fournir aux Sauvages les moyens de s'enivrer, dans lesquels cas les Petites Cours ont une compétence spéciale pour décider. Pourtant, si la dette dépasse deux Louis, la Partie Perdante aura droit d'en appeler à la Grande Cour, en donnant des assurances pour les frais.

LVIII. Dans les différentes Petites Cours on n'acceptera que les semmations émises primordialement dans leur Section respective, mais tous les autres ordres force pour le District d'Assiniboia.

LIX. Si, dans un procès porté d'abord devant la Grande Cour, le Banc, après jugement rendu contre le défendeur, décide à l'unanimité que ce procès aurait dû paraître devant une Petite Cour, le demandeur ne recevra de ses frais que ce que lui aurait occasioné une Petite Cour.

LX. Dans toute Cour, chaque partie, dans un procès civil, peut servir de témoin a l'autre.

LXI. Tout ordre, exigeant service ou exécution, dans l'étendue de la Colonie, coûtera un schelling.

LXII. Dans un cas civil, les Jurés recevront deux shillings et demi chacun, tandis que tous les témoins auront chacun deux schellings et demi par jour.

LXIII. A chaque cas présenté devant la Grande Cour, le plaignant déposera dix schellings que serviront à payer les Jurés, si le cas est jugé; mais si le cas n'est pas jugé, le dit dépôt sera confisqué, à moins que le procès n'ait été rétiré au moins huit jours entiers avant le jour où la Cour doit se tenir. Les sommes ainsi confisquées serviront à former un fonds, moyennant lequel tout Juré qui, bien que sommé pour la Grande Cour, n'y aura point siégé pour un cas civil, recevra deux shillings et demi pour son assistance.

LXIV. Toute personne qui sera emprisonné, à raison de quelque crime ou de quelque amende, recevra chaque jour une livre de farine et une demi-livre de Pémigan et de l'eau a discrétion; et personne ne pourra être emprisonné ou retenu en prison, sur la demande d'un créancier, à moins qu'il ne reçoive d'avance chaque semaine de ce créancier une allouance journalière de douze sous.

Officier Exécutif.

LXV. M. William Robert Smith, avec un salaire de cent Louis par an, remplira toutes les fonctions administratives qui ne seront pas assignées à aucune autre personne en particulier.

St. Boniface, le 4 Août 1862.

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MAPS

1. Partie de la Nouvelle France. Hubert Jaillot, 1685 .
2. District of Assiniboia, 1911.
3. North America. J. Arrowsmith, 1858.
4. Map of part of the North West Territory including the Province of Manitoba, 1875.
5. Manitoba and North West Territory, 1905.
6. Manitoba, Saskatchewan, Alberta, 1912.